
Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Paragraph 8. (See end of Document for details)

SCHEDULES

SCHEDULE 4

PROVIDERS OF INFORMATION SOCIETY SERVICES

PART 2

PROHIBITION NOTICES AND PROHIBITION ORDERS

Protections for service providers of intermediary services

- 8 (1) A prohibition notice or prohibition order may not include terms which impose liabilities on service providers of intermediary services so far as the imposition of those liabilities would result in a contravention of Article 12, 13 or 14 of the E-Commerce Directive (various protections for service providers of intermediary services) [^{F1}, reading those Articles as if the requirements imposed on a Member State were imposed on the person giving the notice or the court making the order].
- (2) A prohibition notice or prohibition order may not include terms which impose a general obligation on service providers of intermediary services [^{F2}falling within the descriptions contained in] Article 12, 13 or 14 of the E-Commerce Directive—
- (a) to monitor the information which they transmit or store when providing those services, or
 - (b) actively to seek facts or circumstances indicating illegal activity when providing those services.

Textual Amendments

- F1** Words in Sch. 4 para. 8(1) inserted (31.12.2020) by [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, [17\(3\)\(e\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 4 para. 8(2) substituted (31.12.2020) by [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, [17\(3\)\(f\)](#); 2020 c. 1, Sch. 5 para. 1(1)
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Commencement Information

- I1** Sch. 4 para. 8 in force at 26.5.2016 by [S.I. 2016/553](#), [reg. 2](#)

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