

## SCHEDULES

### SCHEDULE 4

Exceptions to the advertising and trading offences for providers of information society services

#### **Exception for hosting**

**3.—**(1) Sections 13(1) and 16(1) of the Act do not apply to a service provider storing information provided by a recipient of the service if—

- (a) the service provider has no actual knowledge when the information was provided that its provision constituted an offence under section 13(1) or (as the case may be) section 16(1) of the Act, or
- (b) on obtaining actual knowledge that the provision of the information constituted such an offence, the service provider promptly removed the information or disabled access to it.

(2) Sub-paragraph (1) does not apply if the recipient of the service is acting under the authority or control of the service provider.