
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Electronic Commerce Directive
(Miscellaneous Provisions) Regulations 2018

Exception for hosting

10.—(1) A service provider is not capable of being guilty of a relevant offence in respect of anything done in the course of providing so much of an information society service as consists in the storage of information provided by a recipient of the service if—

- (a) the service provider had no actual knowledge when the information was provided that the information was part of the commission of a relevant offence; or
- (b) where the service provider subsequently obtained such knowledge, the service provider expeditiously removed the information or disabled access to it.

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