

Status: Point in time view as at 16/02/2009.

Changes to legislation: Terrorism Act 2000, Paragraph 6 is up to date with all changes known to be in force on or before 11 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 8A

OFFENCE UNDER SECTION 58A: SUPPLEMENTARY PROVISIONS

Textual Amendments

- F1** Sch. 8A inserted (16.2.2009) by Counter-Terrorism Act 2008 (c. 28), ss. 76(4), 100(5), Sch. 8 (with s. 101(2)); S.I. 2009/58, art. 2(d)

Exception for hosting

- 6 (1) A service provider is not guilty of an offence under section 58A 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 the condition is met.
- (2) The condition is that—
- (a) the service provider had no actual knowledge when the information was provided that it contained offending material, or
 - (b) on obtaining actual knowledge that the information contained offending material, the service provider expeditiously removed the information or disabled access to it.
- (3) “Offending material” means information about a person who is or has been—
- (a) a member of Her Majesty's forces,
 - (b) a member of any of the intelligence services, or
 - (c) a constable,
- which is of a kind likely to be useful to a person committing or preparing an act of terrorism.
- (4) This paragraph does not apply if the recipient of the service is acting under the authority or control of the service provider.
- (5) In this paragraph “the intelligence services” means the Security Service, the Secret Intelligence Service and GCHQ (within the meaning of section 3 of the Intelligence Services Act 1994 (c. 13)).]

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