

Status: Point in time view as at 03/05/2015.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 3

PAEDOPHILE MANUALS: PROVIDERS OF INFORMATION SOCIETY SERVICES

Interpretation of this Schedule

- 1 (1) “Prohibited item” means an item within section 69(1).
- (2) “Information society services”—
 - (a) has the meaning given in Article 2(a) of the E-Commerce Directive (which refers to Article 1(2) of Directive [98/34/EC](#) of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations), and
 - (b) is summarised in recital 17 of the E-Commerce Directive as covering “any service normally provided for remuneration, at a distance, by means of electronic equipment for the processing (including digital compression) and storage of data, and at the individual request of a recipient of a service”.
- (3) “The E-Commerce Directive” means Directive [2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce).
- (4) “Recipient”, in relation to a service, means a person who, for professional ends or otherwise, uses an information society service, in particular for the purposes of seeking information or making it accessible.
- (5) “Service provider” means a person providing an information society service.
- (6) “Domestic service provider” means a service provider established in England and Wales or Northern Ireland.
- (7) “Non-UK service provider” means a service provider established in an EEA state other than the United Kingdom.
- (8) For the purposes of sub-paragraphs (6) and (7)—
 - (a) a service provider is established in a particular part of the United Kingdom, or in a particular EEA state, if the service provider—
 - (i) effectively pursues an economic activity using a fixed establishment in that part of the United Kingdom, or that EEA state, for an indefinite period, and
 - (ii) is a national of an EEA state or a company or firm mentioned in Article 54 of the Treaty on the Functioning of the European Union;
 - (b) the presence or use in a particular place of equipment or other technical means of providing an information society service does not, of itself, constitute the establishment of a service provider;

Status: Point in time view as at 03/05/2015.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 1. (See end of Document for details)

- (c) where it cannot be determined from which of a number of establishments a given information society service is provided, that service is to be regarded as provided from the establishment at the centre of the service provider's activities relating to that service.

Commencement Information

II Sch. 3 para. 1 in force at 3.5.2015 by S.I. 2015/820, reg. 2(q)

Status:

Point in time view as at 03/05/2015.

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 1.