



Online Safety Act 2023

2023 CHAPTER 50

PART 11

SUPPLEMENTARY AND GENERAL

Extra-territorial application

205 Offences: extra-territorial application and jurisdiction

- (1) Sections 69, 109 and 112 apply to acts done by a person in the United Kingdom or elsewhere (information offences).
- (2) Section 110 applies to acts done by an individual in the United Kingdom or elsewhere (offences by senior managers of providers of regulated services).
- (3) Section 138 applies to acts done by a person in the United Kingdom or elsewhere (offence of failure to comply with confirmation decision).
- (4) Sections 202(2) and 203(5), so far as relating to an offence under a section specified in subsection (1) or (3) of this section, apply to acts done by an individual in the United Kingdom or elsewhere (liability of directors etc of providers of regulated services).
- (5) In the case of an offence under section 69, 109, 110, 112 or 138 which is committed outside the United Kingdom—
 - (a) proceedings for the offence may be taken at any place in the United Kingdom, and
 - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (6) In the application of subsection (5) to Scotland, any such proceedings against a person may be taken—
 - (a) in any sheriff court district in which the person is apprehended or is in custody, or
 - (b) in such sheriff court district as the Lord Advocate may determine.

Status: This is the original version (as it was originally enacted).

(7) In this section—

“act” includes a failure to act;

“sheriff court district” is to be construed in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act).