
Status: Point in time view as at 23/03/2010. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Electronic Commerce Directive (Hatred against Persons on Religious Grounds or the Grounds of Sexual Orientation) Regulations 2010, Section 4. (See end of Document for details)

STATUTORY INSTRUMENTS

2010 No. 894

The Electronic Commerce Directive (Hatred against Persons on Religious Grounds or the Grounds of Sexual Orientation) Regulations 2010

Internal market: non-UK service providers

4.—(1) Proceedings for a relevant offence shall not be instituted against a non-UK service provider in respect of anything done in the course of provision of information society services unless the derogation condition is satisfied.

(2) The derogation condition is satisfied where the institution of proceedings—

- (a) is necessary for the purposes of the public interest objective;
- (b) relates to an information society service that prejudices that objective or presents a serious and grave risk of prejudice to it; and
- (c) is proportionate to that objective.

(3) The public interest objective means the pursuit of public policy.

(4) In this regulation “non-UK service provider” means a service provider who is established in an EEA state other than the United Kingdom.

Commencement Information

II Reg. 4 in force at 23.3.2010, see [reg. 1](#)

Status:

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Changes to legislation:

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