

DSA.301 C Liability

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Art. 5 DSA:

1. Where an information society service is provided that consists of the transmission in a communication network of information provided by a recipient of the service, the service provider shall not be liable for the automatic, intermediate and temporary storage of that information, performed for the sole purpose of making more efficient or secure the information's onward transmission to other recipients of the service upon their request, on condition that the provider:

(a) does not modify the information;

(b) complies with conditions on access to the information;

(c) complies with rules regarding the updating of the information, specified in a manner widely recognised and used by industry

(d) does not interfere with the lawful use of technology, widely recognised and used by industry, to obtain data on the use of the information; and

(e) acts expeditiously to remove or to disable access to the information it has stored upon obtaining actual knowledge of the fact that the information at the initial source of the transmission has been removed from the network, or access to it has been disabled, or that a court or an administrative authority has ordered such removal or disablement.

2. This Article shall not affect the possibility for a judicial or administrative authority, in accordance with Member States' legal systems, of requiring the service provider to terminate or prevent an infringement.