

Article 4

Removal orders

1. The competent authority of the Member State of main establishment of the hosting service provider shall have the power to issue a removal order requiring the hosting service provider to remove terrorist content or disable access to it in all Member States.
- 1 a. The competent authority of a Member State where the hosting service provider does not have its main establishment or does not have a legal representative may request access to be disabled to terrorist content and enforce this request within its own territory.
- 1 b. If the relevant competent authority has not previously issued a removal order to a hosting service provider it shall contact the hosting service provider, providing information on procedures and applicable deadlines, at least 12 hours before issuing a removal order.
2. Hosting service providers shall remove terrorist content or disable access to it as soon as possible and within one hour from receipt of the removal order.
3. Removal orders shall contain the following elements in accordance with the template set out in Annex I:
 - (a) identification of the competent authority via an electronic signature issuing the removal order and authentication of the removal order by the competent authority;
 - (b) a detailed statement of reasons explaining why the content is considered terrorist content and a specific reference to the categories of terrorist content listed in Article 2(5);
 - (c) an exact Uniform Resource Locator (URL) and, where necessary, additional information enabling the identification of the content referred;
 - (d) a reference to this Regulation as the legal basis for the removal order;
 - (e) date and time stamp of issuing;
 - (f) easily understandable information about redress available to the hosting service provider and to the content provider, including redress with the competent authority as well as recourse to a court as well as deadlines for appeal;
 - (g) where necessary and proportionate, the decision not to disclose information about the removal of terrorist content or the disabling of access to it referred to in Article 11.
5. The competent authority shall address removal orders to the main establishment of the hosting service provider or to the legal representative designated by the hosting service provider pursuant to Article 16 and transmit it to the point of contact referred to in Article 14(1). Such orders shall be sent by electronic means capable of producing a written record under conditions allowing to establish the authentication of the sender, including the accuracy of the date and the time of sending and receipt of the order.

6. Hosting service providers shall inform, without undue delay the competent authority about the removal of terrorist content or disabling access to it, indicating, in particular, the time of action, using the template set out in Annex II.
7. If the hosting service provider cannot comply with the removal order because of force majeure or of de facto impossibility not attributable to the hosting service provider, including for technical or operational reasons, it shall inform, without undue delay, the competent authority, explaining the reasons, using the template set out in Annex III. The deadline set out in paragraph 2 shall apply as soon as the reasons invoked are no longer present.
8. The hosting service provider may refuse to execute the removal order if the removal order contains manifest errors or does not contain sufficient information. It shall inform the competent authority without undue delay, asking for the necessary clarification, using the template set out in Annex III. The deadline set out in paragraph 2 shall apply as soon as the clarification is provided.
9. The competent authority which issued the removal order shall inform the competent authority which oversees the implementation of specific measures, referred to in Article 17(1)(c) when the removal order becomes final. A removal order becomes final where it has not been appealed within the deadline according to the applicable national law or where it has been confirmed following an appeal.