

Online Safety Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE
[Supplementary to the Marshalled List]

Schedule 1

LORD KNIGHT OF WEYMOUTH

Page 182, line 2, at end insert –

“Specialised search services

- 10A A search service is exempt (a “specialised search service”) if users can only search for, compare or purchase products or services from different providers in a particular sector.
- 10B Providers of specialised search services are required to self-certify their continued exemption every three years. OFCOM must produce guidance for providers of specialised search services to assist them in complying with their self-certification duties.
- 10C OFCOM may by an information notice require a provider of a specialised search service to provide them with any information that they require for the purpose of deciding whether such a service should continue to benefit from an exemption, given its nature as a specialised search service.”

Member’s explanatory statement

This amendment would ensure that sector specific search services have a minimal regulatory burden.

Clause 6

BARONESS RITCHIE OF DOWNPATRICK
LORD MORROW

Page 5, line 16, at end insert –

“(g) the duties on regulated provider pornographic content set out in section 72.”

Member’s explanatory statement

This amendment requires user-to-user services to comply with duties under Part 5.

Clause 12

LORD KNIGHT OF WEYMOUTH

Page 12, line 25, at end insert “, or content the provenance of which cannot be authenticated”

Member’s explanatory statement

This amendment seeks to encourage user empowerment tools that allow content with verified accuracy and origin to be prioritised in their content feed.

Clause 68

LORD KNIGHT OF WEYMOUTH

Page 62, line 23, leave out paragraph (d) and insert –

“(d) be made publicly available, subject to appropriate redactions, on the date specified in the notice.”

Member’s explanatory statement

This amendment would make explicit that providers must make transparency reports publicly available, subject to certain redactions.

Page 62, line 27, at end insert –

“(4A) Before the date on which a provider is to make a transparency report publicly available, OFCOM may issue a notice to that provider instructing it not to make the report publicly available.

(4B) OFCOM may only issue a notice instructing a provider not to make a transparency report publicly available if it considers that the risk of the report directing individuals to illegal content is greater than the benefit of making the report public.”

Member’s explanatory statement

This amendment would enable OFCOM to prevent a provider publishing a transparency report in instances where the risk of directing individuals to illegal content outweighed the benefit of making the report public.

Clause 69

LORD KNIGHT OF WEYMOUTH

Page 63, line 27, at end insert –

“(ba) how providers should publish transparency reports produced under section 68 (transparency reports about certain Part 3 services), including guidance on what information should be redacted, and how this should be done.”

Member’s explanatory statement

This amendment would require OFCOM to produce guidance for providers on how to publish transparency reports, including on what information should be redacted and how.

Clause 71

BARONESS RITCHIE OF DOWNPATRICK
LORD MORROW

Page 65, line 9, after “content” insert “or pornographic content that is user-generated”

Member’s explanatory statement

This amendment amends the scope of the definitions on pornographic content so that it includes user generated content.

Clause 72

BARONESS RITCHIE OF DOWNPATRICK
LORD MORROW

Page 65, line 40, leave out “regulated provider”

Member’s explanatory statement

This amendment amends the scope of duties for services with pornographic content so that pornographic content on user-to-user services requires the same age verification from the time Part 5 duties come into effect.

Schedule 11

LORD GRIFFITHS OF BURRY PORT

Page 216, line 31, at end insert –

“(1A) Regulations made under sub-paragraph (1) must provide for any regulated user-to-user service which OFCOM assesses as posing a very high risk of harm due to suicide, self-harm, or eating disorder content to be included within Category 1, regardless of the number of users.”

Member’s explanatory statement

This amendment would require any regulated user-to-user service, regardless of size, which Ofcom assesses as posing a very high risk of harm due to suicide, self-harm, or eating disorder content to be included as a Category 1 platform.

Clause 162

BARONESS KENNEDY OF THE SHAWS

Page 139, line 19, after “out” insert “, whether by the person who sent the message or another individual”

Member’s explanatory statement

This amendment is intended to clarify that an offence is committed if an individual sends a message which potentially encourages other individuals to carry out a harmful act.

Clause 211

BARONESS RITCHIE OF DOWNPATRICK
LORD MORROW

Page 176, line 29, at end insert –

“(1A) Section (*OFCOM guidance about age assurance*) comes into force no later than three months after this Act is passed.

(1B) The following provisions come into force no later than six months after this Act is passed –

- (a) the other provisions of Part 5,
- (b) Chapter 6 of Part 7, and
- (c) Schedule (*Effective age assurance*).”

Member’s explanatory statement

This amendment would require the guidance on age verification to come into effect no later than three months after Royal Assent and the remaining parts of Part 5 and enforcement powers into effect no later than six months after Royal Assent.

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19 April 2023
