

# Online Safety Bill

---

## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Ninth Marshalled List]*

---

Amendment  
No.

#### Clause 110

##### LORD STEVENSON OF BALMACARA

**202ZA★** Page 93, line 34, after “so,” insert “and, in relation to confidential journalistic material or material identifying journalistic sources, if the requirements under section (*Confidential journalistic material or journalistic material identifying sources*) (confidential journalistic material or journalistic material identifying sources) have been satisfied,”

#### *Member’s explanatory statement*

*This amendment makes clear that in relation to notices to deal with terrorism or CSEA content, special provisions apply to journalistic material or material identifying journalistic sources. These provisions are included in a new Clause after Clause 112 in the name of Lord Stevenson of Balmacara.*

#### After Clause 112

**210A★**

##### LORD STEVENSON OF BALMACARA

Insert the following new Clause –

#### **“Confidential journalistic material or journalistic material identifying sources**

- (1) This section applies if –
  - (a) a notice is issued by OFCOM under section 110(1), and
  - (b) the purpose, or one of the purposes, of the notice is to require the use of accredited technology to monitor private communications which could include communications containing –
    - (i) confidential journalistic material, or
    - (ii) journalistic material which would identify sources.
- (2) OFCOM must give specific regard to sections 112(2)(h) to (j) in relation to the rights of both journalists and their sources.

**After Clause 112 - continued**

- (3) The notice must contain provisions regarding the arrangements for the handling, retention, use and deletion of communications containing confidential journalistic material or journalistic material identifying sources, including that such material shall be treated as confidential and will not be disclosed by the provider of the service to any third party.
- (4) In this section, “journalistic material” and “confidential journalistic material” have the meanings outlined in section 264 (general definitions) of the Investigatory Powers Act 2016.”

***Member’s explanatory statement***

*This new Clause introduces special provisions to apply in cases where a notice issued under Clause 110 would involve the monitoring of journalistic material or material identifying journalistic sources.*

# Online Safety Bill

---

AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

---

*24 May 2023*

---