

Online Safety Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Ninth Marshalled List]

After Clause 146

LORD ALLAN OF HALLAM

LORD CLEMENT-JONES

As an amendment to Amendment 233

At end insert—

“(7) Where a provider shares personal data with an approved independent researcher appointed by OFCOM they shall not be liable for any breaches of data protection law that may occur as a result of actions by the researcher or OFCOM.”

Member’s explanatory statement

The purpose of the new Clause is to enable more sharing of data with researchers. This new subsection provides a clear statement that providers will not be held liable for any downstream data protection offences when following OFCOM instructions to work with approved researchers.

After Clause 164

LORD ALLAN OF HALLAM

LORD CLEMENT-JONES

As an amendment to Amendment 268AZA

At end insert—

“(15) Where an internet service persistently fails to prevent users of that service from committing offences under this section, it shall be considered a regulated service for the purposes of sections 131, 132, 133 and 134.”

Member’s explanatory statement

This amendment explores the measures that may be taken against online services that are outside the scope of regulation in this Bill but persistently allow illegal encouragement of self-harm. It proposes extending the use of the business disruption and access restriction measures in the Bill to these services.

LORD ALLAN OF HALLAM
As an amendment to Amendment 268AZA

At end insert—

“(15) Prosecutions for the offence of encouraging or assisting serious self-harm may only proceed with the approval of the Director of Public Prosecutions.”

Member’s explanatory statement

This amendment proposes that the Director of Public Prosecutions should sign off on any prosecutions for this new offence. The purpose of this is to make it less likely there will be prosecutions of individuals who did not have malicious intent when sharing content related to self-harm.

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15 June 2023
