

Online Safety Bill

AMENDMENTS TO BE MOVED ON REPORT

[Supplementary to the Fourth Marshalled List]

**Amendment
No.**

After Clause 149

LORD CLEMENT-JONES

As an amendment to Amendment 274B

274BB★

In subsection (3), in inserted subsection (1C), at end insert—

“(e) setting minimum standards that activities and initiatives must meet.”

Member’s explanatory statement

This amendment would include the setting of minimum standards in the way in which OFCOM performs its duty to promote media literacy.

Clause 208

BARONESS KIDRON

LORD CLEMENT-JONES

BARONESS HARDING OF WINSCOMBE

LORD STEVENSON OF BALMACARA

281BA★

Page 175, line 5, at end insert—

“(3A) In this Act “functionality”, in relation to a regulated service, includes the design of systems and processes that engage or impact on users, particularly algorithms.”

Member’s explanatory statement

This amendment clarifies the role that system design can impact on outcomes on users in light of the requirement for systems to be safe by design.

Clause 209

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS HARDING OF WINSCOMBE
LORD STEVENSON OF BALMACARA

281FA★ Page 175, line 29, at end insert –

- “(4A) References to harm presented by the design of a regulated service’s system and processes, and any other reference to harm in relation to a regulated service’s systems and processes, include references to harm arising or that may arise from any one or a combination of the following –
- (a) a feature or functionality that may or may not in itself or in combination with other features and functionalities be harmful;
 - (b) the context and manner of its application;
 - (c) the age or characteristics of the likely user group, for example children.”

Member’s explanatory statement

This amendment clarifies that features and functionalities of system design, while in themselves not harmful, may in certain contexts or among particular users, such as children, individually or in combination be harmful. For example, dark patterns that extend use, or notifications through the night.

Clause 211

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS HARDING OF WINSCOMBE
LORD STEVENSON OF BALMACARA

286A★ Page 177, line 7, at end insert –

““features and functionalities” means the manner in which a regulated service’s systems and processes are designed to engage or impact on users;”

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14 July 2023
