
Committee Stage: Monday 13 June 2022

Online Safety Bill (Amendment Paper)

This document lists all amendments tabled to the Online Safety Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

☆ Amendments which will comply with the required notice period at their next appearance.

John Nicolson 84
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

Clause 40, page 38, line 5, leave out subsection (a)

Member's explanatory statement

This amendment would remove the ability of the Secretary of State to modify Ofcom codes of practice 'for reasons of public policy'.

John Nicolson 89
Kirsty Blackman

Clause 49, page 45, line 16, leave out subsection (e)

Member's explanatory statement

This amendment would remove the exemption for comments below news articles posted online.

Alex Davies-Jones 43
Barbara Keeley

Clause 49, page 45, line 19, at end insert—

“(2A) Subsection (2)(e) does not apply in respect of a user-to-user service which is operated by an organisation which—

- (a) is a relevant publisher (as defined in section 41 of the Crime and Courts Act 2013); and

(b) has an annual UK turnover in excess of £100 million.”

Member’s explanatory statement

This amendment removes comments sections operated by news websites where the publisher has a UK turnover of more than £100 million from the exemption for regulated user-generated content.

Kim Leadbeater

107

Clause 50, page 46, line 46, leave out from end to end of Clause and insert “is a member of an approved regulator (as defined in section 42 of the Crime and Courts Act 2013).”

Member’s explanatory statement

This amendment expands the definition of a recognised news publisher to incorporate any entity that is a member of an approved regulator.

John Nicolson
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

86

Clause 50, page 47, line 3, after “material” insert “or special interest news material”

John Nicolson
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

87

Clause 50, page 47, line 28, leave out the first “is” and insert “and special interest news material are”

John Nicolson
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

88

Clause 50, page 47, line 42, at end insert—

““special interest news material” means material consisting of news or information about a particular pastime, hobby, trade, business, industry or profession.”

Alex Davies-Jones 60
Barbara Keeley

Clause 52, page 49, line 5, at end insert—

“(e) an offence, not within paragraph (a), (b) or (c), of which the subject is an animal.”

Member’s explanatory statement

This amendment brings offences to which animals are subject within the definition of illegal content.

Alex Davies-Jones 61
Barbara Keeley

Clause 52, page 49, line 5, at end insert—

“(4A) An offence referred to in subsection (4) is deemed to have occurred if it would be an offence under the law of the United Kingdom regardless of whether or not it did take place in the United Kingdom.”

Member’s explanatory statement

This amendment brings offences committed overseas within the scope of relevant offences for the purposes of defining illegal content.

John Nicolson 142
Kirsty Blackman

☆ Schedule 7, page 183, line 11, leave out from “under” to the end of line and insert “any of the following provisions of the Suicide Act 1961—

- (a) section 2;
- (b) section 3A (inserted by section *Communication offence for encouraging or assisting self-harm* of this Act).”

Chris Philp 116

Schedule 7, page 183, line 11, at end insert—

“1A An offence under section 13 of the Criminal Justice Act (Northern Ireland) 1966 (c. 20 (N.I.)) (assisting suicide etc).”

Member’s explanatory statement

This amendment adds the specified offence to Schedule 7, with the effect that content amounting to that offence counts as priority illegal content.

Chris Philp 117

Schedule 7, page 183, line 29, at end insert—

“4A An offence under section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 (racially-aggravated harassment).”

Member’s explanatory statement

This amendment adds the specified offence to Schedule 7, with the effect that content amounting to that offence counts as priority illegal content.

Chris Philp 118

Schedule 7, page 183, line 36, at end insert—

“5A An offence under any of the following provisions of the Protection from Harassment (Northern Ireland) Order 1997 (S.I. 1997/1180 (N.I. 9))—

- (a) Article 4 (harassment);
- (b) Article 6 (putting people in fear of violence).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Chris Philp 119

Schedule 7, page 184, line 2, at end insert—

“6A An offence under any of the following provisions of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)—

- (a) section 38 (threatening or abusive behaviour);
- (b) section 39 (stalking).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Chris Philp 120

Schedule 7, page 184, line 38, at end insert—

“12A An offence under any of the following provisions of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24))—

- (a) Article 53 (sale etc of knives);
- (b) Article 54 (sale etc of knives etc to minors).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Chris Philp

121

Schedule 7, page 184, line 42, at end insert—

“13A An offence under any of the following provisions of the Firearms (Northern Ireland) Order 2004 (S.I. 2004/702 (N.I. 3))—

- (a) Article 24 (sale etc of firearms or ammunition without certificate);
- (b) Article 37(1) (sale etc of firearms or ammunition to person without certificate etc);
- (c) Article 45(1) and (2) (purchase, sale etc of prohibited weapons);
- (d) Article 63(8) (sale etc of firearms or ammunition to people who have been in prison etc);
- (e) Article 66A (supplying imitation firearms to minors).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Chris Philp

122

Schedule 7, page 184, line 44, at end insert—

“14A An offence under any of the following provisions of the Air Weapons and Licensing (Scotland) Act 2015 (asp 10)—

- (a) section 2 (requirement for air weapon certificate);
- (b) section 24 (restrictions on sale etc of air weapons).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Chris Philp

123

Schedule 7, page 185, line 8, at end insert—

“16A An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2))—

- (a) Article 62 (causing or inciting prostitution for gain);
- (b) Article 63 (controlling prostitution for gain).”

Member’s explanatory statement

This amendment adds the specified offences to Schedule 7, with the effect that content amounting to those offences counts as priority illegal content.

Carla Lockhart

140

☆ Schedule 7, page 185, line 9, at end insert—

“(16A) An offence under section 2 of the Obscene Publications Act 1959 (prohibition of publication of obscene matter).”

Member’s explanatory statement

This amendment adds an offence under the Obscene Publications Act 1959 to the Schedule of Priority Offences.

Chris Philp

124

Schedule 7, page 185, line 14, at end insert—

“18A An offence under section 2 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) (disclosing, or threatening to disclose, an intimate photograph or film).”

Member’s explanatory statement

This amendment adds the specified offence to Schedule 7, with the effect that content amounting to that offence counts as priority illegal content.

Chris Philp

125

Schedule 7, page 185, line 28, at end insert—

“20A An offence under section 49(3) of the Criminal Justice and Licensing (Scotland) Act 2010 (articles for use in fraud).”

Member’s explanatory statement

This amendment adds the specified offence to Schedule 7, with the effect that content amounting to that offence counts as priority illegal content.

Alex Davies-Jones
Barbara Keeley

59

Schedule 7, page 185, line 39, at end insert—

“Animal Welfare

22A An offence under any of the following provisions of the Animal Welfare Act 2006—

- (a) section 4 (unnecessary suffering);
- (b) section 5 (mutilation);
- (c) section 7 (administration of poisons);
- (d) section 8 (fighting);
- (e) section 9 (duty of person responsible for animal to ensure welfare).

22B An offence under any of the following provisions of the Animal Health and Welfare (Scotland) Act 2006—

- (a) section 19 (unnecessary suffering);
- (b) section 20 (mutilation);
- (c) section 21 (cruel operations);
- (d) section 22 (administration of poisons);
- (e) section 23 (fighting);
- (f) section 24 (ensuring welfare of animals).

22C An offence under any of the following provisions of the Welfare of Animals Act (Northern Ireland) 2011—

- (a) section 4 (unnecessary suffering);
- (b) section 5 (prohibited procedures);
- (c) section 7 (administration of poisons);
- (d) section 8 (fighting);
- (e) section 9 (ensuring welfare of animals).

22D For the purpose of paragraphs 22A, 22B or 22C of this Schedule, the above offences are deemed to have taken place regardless of whether the offending conduct took place within the United Kingdom, if the offending conduct would have constituted an offence under the provisions contained within those paragraphs.”

Member’s explanatory statement

This amendment adds certain animal welfare offences to the list of priority offences in Schedule 7.

John Nicolson
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

90

Schedule 7, page 185, line 39, at end insert—

“Human trafficking

22A An offence under section 2 of the Modern Slavery Act 2015.”

Member’s explanatory statement

This amendment would designate Human Trafficking as a priority offence.

Carla Lockhart

98

Clause 53, page 49, line 43, at end insert “and content that meets the definition of pornographic material in clause [*Definition of pornographic content*]”

Member’s explanatory statement

This amendment ensures that pornography is considered primary priority content that is harmful to children and allows Ofcom to bring in regulation of this material sooner than if it is defined in regulations.

John Nicolson
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley

83

Clause 54, page 50, line 39, at end insert—

“(2A) Priority content designated under subsection (2) must include content that contains health-related misinformation and disinformation, where such content is harmful to adults.”

Member’s explanatory statement

This amendment would amend Clause 54 so that the Secretary of State’s designation of “priority content that is harmful to adults” must include a description of harmful health related misinformation or disinformation (as well as other priority content that might be designated in regulations by the Secretary of State).

Alex Davies-Jones
Barbara Keeley

62

Clause 55, page 52, line 4, after “OFCOM” insert “and other stakeholders, including organisations that campaign for the removal of harmful content online”

Member’s explanatory statement

This amendment requires the Secretary of State to consult other stakeholders before making regulations under clause 53 or 54.

Siobhan Baillie

108

Clause 58, page 53, line 18, leave out from “of” until the end of line 20 and insert—

- “(a) ensuring providers offer forms of identity verification which are likely to be accessible to vulnerable adult users and users with protected characteristics under the Equality Act 2010,
 - (b) promoting competition, user choice, and interoperability in the provision of identity verification,
 - (c) the protection of rights, including rights to privacy, freedom of expression, safety, access to information, and the rights of children, and
 - (d) alignment with other relevant guidance and regulation, including with regards to age assurance and age verification.
- (2A) In producing the guidance (including revised or replacement guidance), OFCOM must set minimum standards for the forms of identity verification which Category 1 services must offer, addressing—
- (a) effectiveness,
 - (b) privacy and security,
 - (c) accessibility,
 - (d) time-frames for disclosure to Law Enforcement in case of criminal investigations,
 - (e) transparency for the purposes of research and independent auditing, and
 - (f) user appeal and redress mechanisms.”

Member’s explanatory statement

This amendment would require Ofcom to set a framework of principles and minimum standards for the User Verification Duty.

Siobhan Baillie

109

Clause 58, page 53, line 23, at end insert—

- “(aa) the Digital Markets Unit”

Member’s explanatory statement

This amendment would require Ofcom to also consult the Digital Markets Unit when preparing its guidance for the User Verification Duty.

Carla Lockhart

99

Clause 60, page 54, line 26, after "59" insert "and section [*Requirement on Part 5 service to report CSEA*]"

Member's explanatory statement

This amendment is consequential on NC22.

Carla Lockhart

100

Clause 62, page 55, line 7, after "59" insert "and section [*Requirement on Part 5 service to report CSEA*]"

Member's explanatory statement

This amendment is consequential on NC22.

Chris Philp

1

Clause 62, page 55, line 14, leave out "maximum summary term for either-way offences" and insert "general limit in a magistrates' court"

Member's explanatory statement

Amendments 1 to 5 relate to the maximum term of imprisonment on summary conviction of an either-way offence in England and Wales. Amendments 1 to 4 insert a reference to the general limit in a magistrates' court, meaning the time limit in section 224(1) of the Sentencing Code, which, currently, is 12 months.

Alex Davies-Jones
Barbara Keeley

54

Clause 64, page 56, line 29, leave out "Once" and insert "Twice"

Member's explanatory statement

This amendment would change the requirement for transparency report notices from once a year to twice a year.

Alex Davies-Jones
Barbara Keeley

55

Schedule 8, page 188, line 42, at end insert—

“31A The notice under section 64(1) must require the provider to provide the following information about the service—

- (a) the languages in which the service has safety systems or classifiers;
- (b) details of how human moderators employed or engaged by the provider are trained and supported;
- (c) the process by which the provider takes decisions about the design of the service;
- (d) any other information that OFCOM considers relevant to ensuring the safe operation of the service.”

Member’s explanatory statement

This amendment sets out details of information Ofcom must request be provided in a transparency report.

Carla Lockhart

101

Clause 66, page 58, line 34, leave out from “content” to end of line 36 and insert “has the same meaning as section [*Definition of pornographic content*].”

Member’s explanatory statement

This amendment defines pornographic content for the purposes of the Part 5 and ensures that the same definition would apply to user-to-user services and commercial pornographic content.

Carla Lockhart

102

Clause 68, page 60, line 12, leave out “for example, by using” and insert “by robust”.

Member’s explanatory statement

This amendment requires robust age verification to be used to prevent children from encountering pornographic content on commercial pornographic websites.

Carla Lockhart

103

Clause 68, page 60, line 13, at end insert—

“(2A) A duty to operate an internet service using proportionate systems and processes designed to—

- (a) prevent individuals from encountering priority illegal content that amounts to an offence in either Schedule 6 or paragraphs 17 and 18 of Schedule 7 by means of the service;
- (b) minimise the length of time for which the priority illegal content referred to in subsection (a) is present;
- (c) where the provider is alerted by a person to the presence of the illegal content referred to in subsection (a), or becomes aware of it in any other way, swiftly take down such content."

Member's explanatory statement

This amendment ensures that commercial pornographic websites have the same duties as services in Part 3 to remove child sexual abuse content, extreme pornographic content and private sexual photographs.

Carla Lockhart

104

Clause 68, page 60, line 13, at end insert—

"(-) A duty to meet the conditions set out in Schedule [*Additional duties on pornographic content*]."

Member's explanatory statement

This amendment ensures that commercial pornographic websites must meet the new duties set out in the Schedule [*Additional duties on pornographic content*].

Dame Diana Johnson
Alex Davies-Jones
Barbara Keeley

114

Clause 68, page 60, line 13, at end insert—

- "(2A) A duty to verify that every individual featured in regulated provider pornographic content is an adult before the content is published on the service.
- (2B) A duty to verify that every individual featured in regulated provider pornographic content that is already published on the service when this Act is passed is an adult and, where that is not the case, remove such content from the service.
- (2C) A duty to verify that each individual appearing in regulated provider pornographic content has given their permission for the content in which they appear to be published or made available by the internet service.
- (2D) A duty to remove regulated provider pornographic content featuring an individual if that individual withdraws their consent, at any time, to the pornographic content in which they feature remaining on the service."

Member's explanatory statement

This amendment creates a duty to verify that each individual featured in pornographic content is an adult and has agreed to the content being uploaded before it is published. It would also impose a duty to remove content if the individual withdraws consent at any time.

Dame Diana Johnson 115
Alex Davies-Jones
Barbara Keeley

Clause 68, page 60, line 17, after "(2)" insert "to (2D)"

Alex Davies-Jones 127
Barbara Keeley

Clause 69, page 60, line 26, after "must" insert "within six months of this Act being passed"

Carla Lockhart 128

☆ Page 60, line 25, leave out Clause 69

Member's explanatory statement

This amendment removes clause 69 and should be read with NC30.

John Nicolson 80
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley
Kim Leadbeater

Schedule 10, page 192, line 19, at end insert—

"(c) the assessed risk of harm arising from that part of the service."

Member's explanatory statement

This amendment, together with Amendments 81 and 82, widens Category 1 to include those services which pose a very high risk of harm, regardless of the number of users.

John Nicolson 81
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley
Kim Leadbeater

Schedule 10, page 192, line 39, after “functionality” insert “and at least one specified condition about the assessed risk of harm”

Member’s explanatory statement

This amendment is linked to Amendment 80.

John Nicolson 82
Kirsty Blackman
Alex Davies-Jones
Barbara Keeley
Kim Leadbeater

Schedule 10, page 192, line 41, at end insert—

“(4A) At least one specified condition about the assessed risk of harm must provide for a service assessed as posing a very high risk of harm to its users to meet the Category 1 threshold.”

Member’s explanatory statement

This amendment is linked to Amendment 80, it widens Category 1 to include those services which pose a very high risk of harm, regardless of the number of users.

Barbara Keeley 34
Alex Davies-Jones

Clause 83, page 72, line 12, at end insert—

“(d) the risk of harm posed by individuals in the United Kingdom in relation to adults and children in the UK or elsewhere through the production, publication and dissemination of illegal content.”

Member’s explanatory statement

This amendment requires the Ofcom’s risk assessment to consider risks to adults and children through the production, publication and dissemination of illegal content.

Alex Davies-Jones 71
Barbara Keeley

Clause 83, page 72, line 12, at end insert—

“(1A) For each of the above risks, OFCOM shall identify and assess the level of risk of harm which particularly affects people with certain characteristics or membership of a group or groups.”

Member’s explanatory statement

This amendment requires Ofcom as part of its risk register to assess risks of harm particularly affecting people with certain characteristics or membership of a group or groups.

Chris Philp 4

Schedule 11, page 202, line 17, leave out “maximum summary term for either-way offences” and insert “general limit in a magistrates’ court”

Alex Davies-Jones 70
Barbara Keeley

Clause 96, page 83, line 7, after “section” insert “6(6D),”

Chris Philp 2

Clause 96, page 83, line 15, leave out “maximum summary term for either-way offences” and insert “general limit in a magistrates’ court”

Carla Lockhart 129

☆ Clause 103, page 87, line 6, after “(4)” insert “or (4A)”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Carla Lockhart

130

- ☆ Clause 103, page 87, line 7, after the second “service” insert “or an internet service within section 67(2)”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Carla Lockhart

131

- ☆ Clause 103, page 87, line 36, at end insert—

“(4A) A notice under subsection (1) that relates in an internet service within section 67(2) is a notice requiring the provider of the service to use accredited technology to identify CSEA content, whether communicated publicly or privately by means of the service, and to swiftly take down that content.”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Carla Lockhart

132

- ☆ Clause 103, page 87, line 37, after “(3)” insert “and (4A)”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Barbara Keeley
Alex Davies-Jones

35

- Clause 104, page 88, line 39, leave out “prevalence” and insert “presence”

Member’s explanatory statement

This amendment requires that Ofcom considers the presence of relevant content, rather than its prevalence.

Barbara Keeley 36
Alex Davies-Jones

Clause 104, page 88, line 43, leave out “prevalence” and insert “presence”

Member’s explanatory statement

This amendment requires that Ofcom considers the presence of relevant content, rather than its prevalence.

Barbara Keeley 37
Alex Davies-Jones

Clause 104, page 89, line 13, at end insert—

“(k) risk of harm posed by individuals in the United Kingdom in relation to adults and children in the UK or elsewhere through the production, publication and dissemination of illegal content.”

Member’s explanatory statement

This amendment requires the Ofcom’s risk assessment to consider risks to adults and children through the production, publication and dissemination of illegal content.

Chris Philp 6

Clause 104, page 89, line 14, after “(2)(f)” insert “, (g)”

Member’s explanatory statement

This amendment ensures that subsection (3) of this clause (which clarifies what “relevant content” in particular paragraphs of subsection (2) refers to in relation to different kinds of services) applies to the reference to “relevant content” in subsection (2)(g) of this clause.

Carla Lockhart 133

☆ Clause 104, page 89, line 18, at end insert—

“(c) in the case of an internet service within section 67(2), relevant content present on the service.”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Carla Lockhart

134

☆ Clause 106, page 90, line 25, after “3” insert “or Part 5”

Member’s explanatory statement

This amendment is consequential on the amendment to require Part 5 services to remove CSEA content and allow Ofcom to direct Part 5 service to remove CSEA content.

Alex Davies-Jones
Barbara Keeley

53

Clause 111, page 94, line 24, at end insert—

“Section 136(7C)

Code of practice on access to data”

Member’s explanatory statement

This amendment is linked to Amendment 52.

Alex Davies-Jones
Barbara Keeley

56

Clause 111, page 94, line 24, at end insert—

“Section [Supply chain risk
assessment duties]

Supply chain risk assessments”

Member’s explanatory statement

This amendment is linked to NC11.

Barbara Keeley
Alex Davies-Jones

39

Clause 116, page 98, line 37, leave out “prevalence” and insert “presence”

Member’s explanatory statement

This amendment requires that Ofcom considers the presence of relevant content, rather than its prevalence.

Barbara Keeley 40
Alex Davies-Jones

Clause 116, page 98, line 39, leave out “prevalence” and insert “presence”

Member’s explanatory statement

This amendment requires that Ofcom considers the presence of relevant content, rather than its prevalence.

Barbara Keeley 38
Alex Davies-Jones

Clause 116, page 99, line 12, at end insert—

“(j) the risk of harm posed by individuals in the United Kingdom in relation to adults and children in the UK or elsewhere through the production, publication and dissemination of illegal content.”

Member’s explanatory statement

This amendment requires Ofcom to consider risks to adults and children through the production, publication and dissemination of illegal content before imposing a proactive technology requirement.

Carla Lockhart 135

☆ Clause 118, page 101, line 4, at end insert “in the UK”

Member’s explanatory statement

This amendment would limit application of the penalties to cases where Ofcom has given a confirmation notice in the UK.

Carla Lockhart 136

☆ Clause 123, page 104, line 37, leave out “whether from within or outside” and insert “in”

Member’s explanatory statement

This amendment would limit the imposition of service restriction orders to persons providing a service in the UK.

Alex Davies-Jones
Barbara Keeley

50

Clause 123, page 106, line 36, at end insert—

“(9A) OFCOM may apply to the court for service restriction orders against multiple regulated services with one application, through the use of a schedule of relevant services which includes all the information required by subsection (5).”

Member’s explanatory statement

This amendment would give Ofcom the ability to take action against a schedule of non-compliant sites, while still preserving the right of those sites to oppose the application for, and/or appeal through the courts against any, orders to block access or support services.

Carla Lockhart

137

☆ Clause 125, page 109, line 4, leave out “whether from within or outside” and insert “in”

Member’s explanatory statement

This amendment would limit the imposition of access restriction orders to persons providing access facilities in the UK.

Alex Davies-Jones
Barbara Keeley

51

Clause 125, page 110, line 20, at end insert—

“(7A) OFCOM may apply to the court for service restriction orders against multiple regulated services with one application, through the use of a schedule of relevant services which includes all the information required by subsection (6).”

Member’s explanatory statement

This amendment would give Ofcom the ability to take action against a schedule of non-compliant sites, while still preserving the right of those sites to oppose the application for, and/or appeal through the courts against any, orders to block access or support services.

Carla Lockhart

138

☆ Clause 129, page 113, line 40, at end insert—

“(3A) The guidance must cover—

- (a) what ancillary services OFCOM will use for a service restriction order under section 123 if the service is either free, uses cryptocurrency or virtual currency,
- (b) the role of internet service providers in access restriction orders,
- (c) the action that can be taken if an ancillary service provider fails to act on a service restriction order under section 123 or an interim service restriction order under section 124, and
- (d) the action that can be taken if a person who provides an access facility fails to act on an access restriction order under section 125 or an interim access restriction order under section 126.”

Member’s explanatory statement

This amendment makes provision for what Ofcom’s guidance about enforcement action should cover.

Chris Philp

7

Clause 129, page 114, line 3, at end insert—

“(aa) the Information Commissioner, and”

Member’s explanatory statement

This amendment ensures that before Ofcom produce guidance about their exercise of their enforcement powers, they must consult the Information Commissioner.

Alex Davies-Jones
Barbara Keeley

57

Clause 130, page 115, line 4, leave out “18” and insert “6”

Member’s explanatory statement

This amendment changes the period by which the advisory committee must report from 18 months to 6.

Alex Davies-Jones
Barbara Keeley

58

Clause 130, page 115, line 5, at end insert—

“(6) Following the publication of the report, OFCOM must produce a code of practice setting out the steps services should take to reduce disinformation across their systems.”

Member’s explanatory statement

This amendment requires Ofcom to produce a code of practice on system-level disinformation.

Alex Davies-Jones
Barbara Keeley

52

Clause 136, page 118, line 6, at end insert—

“(7A) Following the publication of the report, OFCOM must produce a code of practice on access to data setting out measures with which regulated services are required to comply.

(7B) The code of practice must set out steps regulated services are required to take to facilitate access to data by persons carrying out independent research.

(7C) Regulated services must comply with any measures in the code of practice.”

Member’s explanatory statement

This amendment would require Ofcom to produce a code of practice on access to data.

Alex Davies-Jones
Barbara Keeley

66

Clause 140, page 121, line 8, at end insert—

“(d) causing harm to any human or animal.”

Member’s explanatory statement

This amendment ensures groups are able to make complaints regarding animal abuse videos.

John Nicolson
Kirsty Blackman

77

Clause 140, page 121, line 9, leave out subsection (2)

Member's explanatory statement

This amendment removes the tests that complaints have to be of particular importance in order to be admissible.

Alex Davies-Jones
Barbara Keeley

67

Clause 140, page 121, line 20, at end insert ", or a particular group that campaigns for the removal of harmful online content towards humans and animals".

Member's explanatory statement

This amendment makes groups campaigning against harmful content eligible to make supercomplaints.

Alex Davies-Jones
Barbara Keeley

68

Page 124, line 40, leave out Clause 147

Kim Leadbeater

112

Clause 150, page 127, line 28, at end insert "and;

“(b) physical harm that has been acquired as a consequence of receiving the content of a message sent online.”

Member's explanatory statement

This amendment would expand the definition of harm for the purposes of the harmful communications offence to incorporate physical harm resulting from messages received online.

Paul Maynard 113

Clause 150, page 127, line 28, at end insert “; or

“(b) physical harm resulting from an epileptic seizure, where the seizure has been triggered by the intentional sending of flashing images to a person with epilepsy.”

Alex Davies-Jones 41
Barbara Keeley

Clause 156, page 131, line 15, at end insert—

“(za) B has not consented for A to share the photograph or film with B, or”

Member’s explanatory statement

This amendment makes it an offence to send an image of genitals to another person if the recipient has not given consent to receive the image.

Alex Davies-Jones 42
Barbara Keeley

Clause 156, page 131, line 20, at end insert—

“(1A) A person consents if the person agrees by choice, and has the freedom and capacity to make that choice.”

Member’s explanatory statement

This amendment is linked to Amendment 41.

Chris Philp 3

Clause 156, page 131, line 37, leave out “12 months” and insert “the general limit in a magistrates’ court”

Chris Philp 5

Clause 156, page 131, leave out lines 40 to 42

Member’s explanatory statement

This amendment is consequential on Amendment 3.

Chris Philp 126

Clause 176, page 145, line 4, at end insert—

- “(5A) The Secretary of State must consult the Scottish Ministers before making regulations under subsection (3) which—
- (a) add an offence that extends only to Scotland, or
 - (b) amend or remove an entry specifying an offence that extends only to Scotland.
- (5B) The Secretary of State must consult the Department of Justice in Northern Ireland before making regulations under subsection (3) which—
- (a) add an offence that extends only to Northern Ireland, or
 - (b) amend or remove an entry specifying an offence that extends only to Northern Ireland.”

Member’s explanatory statement

This amendment ensures that the Secretary of State must consult the Scottish Ministers or the Department of Justice in Northern Ireland before making regulations which amend Schedule 7 in connection with an offence which extends to Scotland or Northern Ireland only.

John Nicolson 76
Kirsty Blackman

Clause 189, page 154, line 34, after “including” insert “but not limited to”

Member’s explanatory statement

This amendment clarifies the definition of “content” in the bill in order that anything communicated by means of an internet service is considered content, not only those examples listed.

Alex Davies-Jones 47
Barbara Keeley

Clause 189, page 155, line 1, at end insert—

““Identity Verification” means a system or process designed to enable a user to prove their identity, for purposes of establishing that they are a genuine, unique, human user of the service and that the name associated with their profile is their real name.”

Member’s explanatory statement

This amendment adds a definition of Identity Verification to the terms defined in the Bill.

Siobhan Baillie

111

Clause 189, page 155, line 47, after “United Kingdom users” insert—

““user identity verification” means a system or process designed to enable a user to prove their identity, for purposes of establishing that they are a genuine, unique, human user of the service and that the name associated with their profile is their real name.”

Member’s explanatory statement

This amendment adds a definition of User Identity Verification to the terms defined in the Bill.

Chris Philp

141

☆ Clause 192, page 160, line 9, at end insert—

“(aa) section (*Offence under the Obscene Publications Act 1959: OFCOM defence*);”

Member’s explanatory statement

This amendment provides for NC35 to extend only to England and Wales.

Alex Davies-Jones
Barbara Keeley

49

Clause 193, page 161, line 1, leave out subsection (2) and insert—

“(2) Subject to subsection (3) below, the other provisions of this Act come into force on such day as the Secretary of State may by regulations appoint.

(3) The provisions of Part 5 shall come into force at the end of the period of three months beginning with the day on which this Act is passed.”

Member’s explanatory statement

This amendment would bring Part 5 into force three months after the Act is passed.

Carla Lockhart

139

☆ Clause 193, page 161, line 2, at beginning insert—

“(2A) The other provisions of Part 3 comes into force no later than twelve months after the Act is passed.

- (2B) The other provisions of Part 5 comes into force no later than six months after the Act is passed.”

Member’s explanatory statement

The amendment sets a timetable for the implementation of Parts 3 and 5.

Chris Philp

NC35

☆ To move the following Clause—

“Offence under the Obscene Publications Act 1959: OFCOM defence

- (1) Section 2 of the Obscene Publications Act 1959 (prohibition of publication of obscene matter) is amended in accordance with subsections (2) and (3).
- (2) After subsection (5) insert—
- “(5A) A person shall not be convicted of an offence against this section of the publication of an obscene article if the person proves that—
- (a) at the time of the offence charged, the person was a member of OFCOM, employed or engaged by OFCOM, or assisting OFCOM in the exercise of any of their online safety functions (within the meaning of section 188 of the Online Safety Act 2022), and
- (b) the person published the article for the purposes of OFCOM’s exercise of any of those functions.”
- (3) In subsection (7)—
- (a) the words after “In this section” become paragraph (a), and
- (b) at the end of that paragraph, insert “;
- (b) “OFCOM” means the Office of Communications.””

Member’s explanatory statement

This new clause (to be inserted after clause 171) amends section 2 of the Obscene Publications Act 1959 to create a defence for OFCOM and their employees etc to the offence of the publication of an obscene article.

Alex Davies-Jones
Barbara Keeley

NC1

To move the following Clause—

“Report on redress for individual complaints

- (1) The Secretary of State must publish a report assessing options for dealing with appeals about complaints made under—
- (a) section 18; and
- (b) section 28

of this Act.

- (2) The report must—
- (a) provide a general update on the fulfilment of duties about complaints procedures which apply in relation to all regulated user-to-user services and regulated search services;
 - (b) assess which body should be responsible for a system to deal with appeals in cases where a complainant considers that a complaint has not been satisfactorily dealt with; and
 - (c) provide options for how the system should be funded, including consideration of whether an annual surcharge could be imposed on user-to-user services and search services.
- (3) The report must be laid before Parliament within six months of the commencement of this Act.”

Dame Diana Johnson
Alex Davies-Jones
Barbara Keeley

NC2

To move the following Clause—

“Duties regarding user-generated pornographic content: regulated services

- (1) This section sets out the duties which apply to regulated services in relation to user-generated pornographic content.
- (2) A duty to verify that each individual featuring in the pornographic content has given their permission for the content in which they feature to be published or made available by the service.
- (3) A duty to remove pornographic content featuring a particular individual if that individual withdraws their consent, at any time, to the pornographic content in which they feature remaining on the service.
- (4) For the meaning of “pornographic content”, see section 66(2).
- (5) In this section, “user-generated pornographic content” means any content falling within the meaning given by subsection (4) and which is also generated directly on the service by a user of the service, or uploaded to or shared on the service by a user of the service, may be encountered by another user, or other users, of the service.
- (6) For the meaning of “regulated service”, see section 2(4).”

Barbara Keeley
Alex Davies-Jones

NC3

To move the following Clause—

“Establishment of Advocacy Body

- (1) There is to be a body corporate (“the Advocacy Body”) to represent interests of child users of regulated services.

- (2) A “child user”—
 - (a) means any person aged 17 years or under who uses or is likely to use regulated internet services; and
 - (b) includes both any existing child user and any future child user.
- (3) The work of the Advocacy Body may include—
 - (a) representing the interests of child users;
 - (b) the protection and promotion of these interests;
 - (c) any other matter connected with those interests.
- (4) The “interests of child users” means the interest of children in relation to the discharge by any regulated company of its duties under this Act, including—
 - (a) safety duties about illegal content, in particular CSEA content;
 - (b) safety duties protecting children;
 - (c) “enforceable requirements” relating to children.
- (5) The Advocacy Body must have particular regard to the interests of child users that display one or more protected characteristics within the meaning of the Equality Act 2010.
- (6) The Advocacy Body will be defined as a statutory consultee for OFCOM’s regulatory decisions which impact upon the interests of children.
- (7) The Secretary of State may appoint an organisation known to represent children to be designated the functions under this Act, or may create an organisation to carry out the designated functions.”

Member’s explanatory statement

This new clause creates a new advocacy body for child users of regulated internet services.

Barbara Keeley
Alex Davies-Jones

NC4

To move the following Clause—

“Duty to disclose information to OFCOM

- (1) This section sets out the duties to disclose information to OFCOM which apply in relation to all regulated user-to-user services.
- (2) A regulated user-to-user service must disclose to OFCOM anything relating to that service of which that regulator would reasonably expect notice.
- (3) This includes —
 - (a) any significant changes to its products or services which may impact upon its performance of its safety duties;
 - (b) any significant changes to its moderation arrangements which may impact upon its performance of its safety duties;

- (c) any significant breaches in respect of its safety duties.”

Member’s explanatory statement

This new clause creates a duty to disclose information to Ofcom.

Barbara Keeley
Alex Davies-Jones
Mrs Sharon Hodgson
Dr Rupa Huq

NC5

To move the following Clause—

“Duty to distinguish paid-for advertisements

- (1) A provider of a Category 2A service must operate the service using systems and processes designed to clearly distinguish to users of that service paid-for advertisements from all other content appearing in or via search results of the service.
- (2) The systems and processes described under subsection (1)—
 - (a) must include clearly displaying the words “paid-for advertisement” next to any paid-for advertisement appearing in or via search results of the service, and
 - (b) may include measures such as but not limited to the application of colour schemes to paid-for advertisements appearing in or via search results of the service.
- (3) The reference to paid-for advertisements appearing “in or via search results of a search service” does not include a reference to any advertisements appearing as a result of any subsequent interaction by a user with an internet service other than the search service.
- (4) If a person is the provider of more than one Category 2A service, the duties set out in this section apply in relation to each such service.
- (5) The duties set out in this section extend to the design, operation and use of a Category 2A service that hosts paid-for advertisements targeted at users of that service in the United Kingdom.
- (6) For the meaning of “Category 2A service”, see section 81 (register of a categories of service).
- (7) For the meaning of “paid-for advertisement”, see section 189 (interpretation: general).”

Barbara Keeley
Alex Davies-Jones
Mrs Sharon Hodgson
Dr Rupa Huq

NC6

To move the following Clause—

“Duty to verify advertisements

- (1) A provider of a Category 2A service must operate an advertisement verification process for any relevant advertisement appearing in or via search results of the service.
- (2) In this section, “relevant advertisement” means any advertisement for a service or product to be designated in regulations made by the Secretary of State.
- (3) The verification process under subsection (1) must include a requirement for advertisers to demonstrate that they are authorised by a UK regulatory body.
- (4) In this section, “UK regulatory body” means a UK regulator responsible for the regulation of a particular service or product to be designated in regulations made by the Secretary of State.
- (5) If a person is the provider of more than one Category 2A service, the duties set out in this section apply in relation to each such service.
- (6) For the meaning of “Category 2A service”, see section 81 (register of a categories of service).
- (7) Regulations under this section shall be made by statutory instrument.
- (8) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.”

Alex Davies-Jones
Barbara Keeley

NC7

To move the following Clause—

“Report on duties to protect content of democratic importance and journalistic content

- (1) The Secretary of State must publish a report which—
 - (a) reviews the extent to which Category 1 services have fulfilled their duties under—
 - (i) Clause 15; and
 - (ii) Clause 16;
 - (b) analyses the effectiveness of Clauses 15 and 16 in protecting against—
 - (i) foreign state actors;
 - (ii) extremist groups and individuals; and
 - (iii) sources of misinformation and disinformation.

- (2) The report must be laid before Parliament within one year of this Act being passed.”

Member’s explanatory statement

This new clause would require the Secretary of State to publish a report reviewing the effectiveness of Clauses 15 and 16.

Alex Davies-Jones
Barbara Keeley

NC8

To move the following Clause—

“OFCOM’s guidance about user identity verification

- (1) OFCOM must produce guidance for providers of Category 1 services on how to comply with the duty set out in section 57(1).
- (2) In producing the guidance (including revised or replacement guidance), OFCOM must have regard to—
 - (a) ensuring providers offer forms of identity verification which are likely to be accessible to vulnerable adult users and users with protected Characteristics under the Equality Act 2010,
 - (b) promoting competition, user choice, and interoperability in the provision of identity verification,
 - (c) protection of rights, including rights to privacy, freedom of expression, safety, access to information, and the rights of children,
 - (d) alignment with other relevant guidance and regulation, including with regards to Age Assurance and Age Verification.
- (3) In producing the guidance (including revised or replacement guidance), OFCOM must set minimum standards for the forms of identity verification which Category services must offer, addressing—
 - (a) effectiveness,
 - (b) privacy and security,
 - (c) accessibility,
 - (d) time-frames for disclosure to Law Enforcement in case of criminal investigations,
 - (e) transparency for the purposes of research and independent auditing,
 - (f) user appeal and redress mechanisms.
- (4) Before producing the guidance (including revised or replacement guidance), OFCOM must consult—
 - (a) the Information Commissioner,
 - (b) the Digital Markets Unit,
 - (c) persons whom OFCOM consider to have technological expertise relevant to the duty set out in section 57(1),
 - (d) persons who appear to OFCOM to represent the interests of users including vulnerable adult users of Category 1 services, and
 - (e) such other persons as OFCOM considers appropriate.

- (5) OFCOM must publish the guidance (and any revised or replacement guidance).”

Member’s explanatory statement

This new clause would require Ofcom to set a framework of principles and minimum standards for the User Verification Duty.

Alex Davies-Jones
Barbara Keeley

NC9

To move the following Clause—

“Risk assessments: submission to OFCOM and publication

Whenever a Category 1 service carries out any risk assessment pursuant to Part 3 of this Act, the service must—

- (a) submit the risk assessment to OFCOM; and
- (b) publish the risk assessment on the service’s website.”

Member’s explanatory statement

This new clause requires any risk assessment carried out by a Category 1 service under Part 3 to be submitted to Ofcom and published.

Alex Davies-Jones
Barbara Keeley

NC10

To move the following Clause—

“Special circumstances

- (1) This section applies where OFCOM has reasonable grounds for believing that circumstances exist that present a threat—
 - (a) to the health or safety of the public, or
 - (b) to national security.
- (2) OFCOM may, in exercising their media literacy functions, give priority for a specified period to specified objectives designed to address the threat presented by the circumstances mentioned in subsection (1).
- (3) OFCOM may give a public statement notice to—
 - (a) a specified provider of a regulated service, or
 - (b) providers of regulated services generally.
- (4) A “public statement notice” is a notice requiring a provider of a regulated service to make a publicly available statement, by a date specified in the notice, about steps the provider is taking in response to the threat presented in the circumstances mentioned in subsection (1).
- (5) OFCOM may, by a public statement notice or a subsequent notice, require a provider of a regulated service to provide OFCOM with such information as they may require for the purpose of responding to that threat.

- (6) If OFCOM takes any of the steps set out in this Chapter, they must publish their reasons for doing so.
- (7) In subsection (2) “media literacy functions” means OFCOM’s functions under section 11 of the Communications Act (duty to promote media literacy), so far as functions under that section relate to regulated services.”

Member’s explanatory statement

This new clause gives Ofcom the power to take particular steps where it considers that there is a threat to the health and safety of the public or to national security, without the need for a direction from the Secretary of State.

Alex Davies-Jones
Barbara Keeley

NC11

To move the following Clause—

“Supply chain risk assessment duties

- (1) This section sets out duties to assess risks arising in a provider’s supply chain, which apply to all Part 3 services.
- (2) A duty to carry out a suitable and sufficient assessment of the risk of harm arising to persons employed by contractors of the provider, where the role of such persons is to moderate content on the service.
- (3) A duty to keep the risk assessment up to date.
- (4) Where any change is proposed to any contract for the moderation of content on the service, a duty to carry out a further suitable and sufficient risk assessment.
- (5) In this section, the “risk of harm” includes any risks arising from—
 - (a) exposure to harmful content; and
 - (b) a lack of training, counselling or support.”

Member’s explanatory statement

This new clause introduces a duty to assess the risk of harm in the supply chain.

Alex Davies-Jones
Barbara Keeley

NC12

To move the following Clause—

“Secretary of State’s powers to suggest modifications to a code of practice

- (1) The Secretary of State may on receipt of a code write within one month of that day to OFCOM with reasoned, evidence-based suggestions for modifying the code.
- (2) OFCOM shall have due regard to the Secretary of State’s letter and must reply to the Secretary of State within one month of receipt.

- (3) The Secretary of State may only write to OFCOM twice under this section for each code.
- (4) The Secretary of State and OFCOM shall publish their letters as soon as reasonably possible after transmission, having made any reasonable redactions for public safety and national security.
- (5) If the draft of a code of practice contains modifications made following changes arising from correspondence under this section, the affirmative procedure applies.”

Member’s explanatory statement

This new clause gives the Secretary of State powers to suggest modifications to a code of practice, as opposed to the powers of direction proposed in clause 40.

Alex Davies-Jones
Barbara Keeley

NC13

To move the following Clause—

“Liability for companies associated with regulated services

- (1) A relevant regulated entity (“C”) is liable for penalties set out in the Bill where a person or company (“A”) associated with C and considered by a user to be a component of C does not comply with the duties established in the Bill.
- (2) Subsection (1) applies whether or not C has made A aware of the duties established in the Bill.
- (3) But it is a defence for C to prove that C had in place adequate procedures designed to prevent persons associated with C from undertaking such conduct.
- (4) In this section a “relevant regulated entity” means a regulated service as defined in section 3(4) of this Act.
- (5) For the purposes of this section, A is associated with C if A is a person who performs services for or on behalf of C notwithstanding—
 - (a) the capacity in which A performs services for or on behalf of C;
 - (b) whether or not A is an employee, agent or subsidiary of C.
- (6) Whether or not A is a person who performs services for or on behalf of C is to be determined by reference to all the relevant circumstances and not merely by reference to the nature of the relationship between A and C.
- (7) If A is an employee of C, it is to be presumed unless the contrary is shown that A is a person who performs services for or on behalf of C.”

Alex Davies-Jones
Barbara Keeley
John Nicolson
Kirsty Blackman
Kim Leadbeater

NC14

To move the following Clause—

“Duty to promote media literacy: regulated user-to-user services and search services

- (1) In addition to the duty on OFCOM to promote media literacy under section 11 of the Communications Act 2003, OFCOM must take such steps as they consider appropriate to improve the media literacy of the public in relation to regulated user-to-user services and search services.
- (2) This section applies only in relation to OFCOM’s duty to regulate—
 - (a) user-to-user services, and
 - (b) search services.
- (3) OFCOM’s performance of its duty in subsection (1) must include pursuit of the following objectives—
 - (a) to reach audiences who are less engaged with, and harder to reach through, traditional media literacy initiatives;
 - (b) to address gaps in the availability and accessibility of media literacy provisions targeted at vulnerable users;
 - (c) to build the resilience of the public to disinformation and misinformation by using media literacy as a tool to reduce the harm from that misinformation and disinformation;
 - (d) to promote greater availability and effectiveness of media literacy initiatives and other measures, including by—
 - (i) carrying out, commissioning or encouraging educational initiatives designed to improve the media literacy of the public;
 - (ii) seeking to ensure, through the exercise of OFCOM’s online safety functions, that providers of regulated services take appropriate measures to improve users’ media literacy;
 - (iii) seeking to improve the evaluation of the effectiveness of the initiatives and measures mentioned in sub paras (2)(d)(i) and (ii) (including by increasing the availability and adequacy of data to make those evaluations);
 - (e) to promote better coordination within the media literacy sector.
- (4) OFCOM may prepare such guidance about the matters referred to in subsection (2) as it considers appropriate.
- (5) Where OFCOM prepares guidance under subsection (4) it must—
 - (a) publish the guidance (and any revised or replacement guidance); and
 - (b) keep the guidance under review.

- (6) OFCOM must co-operate with the Secretary of State in the exercise and performance of their duty under this section.”

Member’s explanatory statement

This new clause places an additional duty on Ofcom to promote media literacy of the public in relation to regulated user-to-user services and search services.

Alex Davies-Jones
Barbara Keeley
John Nicolson
Kirsty Blackman
Kim Leadbeater

NC15

To move the following Clause—

“Media literacy strategy

- (1) OFCOM must prepare a strategy which sets out how they intend to undertake their duty to promote media literacy in relation to regulated user-to-user services and regulated search services under section (Duty to promote media literacy: regulated user-to-user services and search services).
- (2) The strategy must—
 - (a) set out the steps OFCOM propose to take to achieve the pursuit of the objectives set out in section (Duty to promote media literacy: regulated user-to-user services and search services),
 - (b) set out the organisations, or types of organisations, that OFCOM propose to work with in undertaking the duty;
 - (c) explain why OFCOM considers that the steps it proposes to take will be effective;
 - (d) explain how OFCOM will assess the extent of the progress that is being made under the strategy.
- (3) In preparing the strategy OFCOM must have regard to the need to allocate adequate resources for implementing the strategy.
- (4) OFCOM must publish the strategy within the period of 6 months beginning with the day on which this section comes into force.
- (5) Before publishing the strategy (or publishing a revised strategy), OFCOM must consult—
 - (a) persons with experience in or knowledge of the formulation, implementation and evaluation of policies and programmes intended to improve media literacy;
 - (b) the advisory committee on disinformation and misinformation, and
 - (c) any other person that OFCOM consider appropriate.
- (6) If OFCOM have not revised the strategy within the period of 3 years beginning with the day on which the strategy was last published, they must either—
 - (a) revise the strategy, or
 - (b) publish an explanation of why they have decided not to revise it.

- (7) If OFCOM decides to revise the strategy they must—
- (a) consult in accordance with subsection (3), and
 - (b) publish the revised strategy.”

Member’s explanatory statement

This new clause requires Ofcom to publish a strategy related to their duty to promote media literacy of the public in relation to regulated user-to-user services and search services.

Alex Davies-Jones
Barbara Keeley
John Nicolson
Kirsty Blackman
Kim Leadbeater

NC16

To move the following Clause—

“Media literacy strategy: progress report

- (1) OFCOM must report annually on the delivery of the strategy required under section (Duty to promote media literacy: regulated user-to-user services and search services).
- (2) The report must include—
 - (a) a description of the steps taken in accordance with the strategy during the year to which the report relates; and
 - (b) an assessment of the extent to which those steps have had an effect on the media literacy of the public in that year.
- (3) The assessment referred to in subsection (2)(b) must be made in accordance with the approach set out by OFCOM in the strategy (see section (Duty to promote media literacy: regulated user-to-user services and search services) (2)(d)).
- (4) OFCOM must—
 - (a) publish the progress report in such manner as they consider appropriate; and
 - (b) send a copy of the report to the Secretary of State who must lay the copy before Parliament.”

Member’s explanatory statement

This new clause is contingent on NC15.

John Nicolson
Kirsty Blackman

NC17

To move the following Clause—

“Algorithmic prompts: prohibition of protected characteristics

- (1) A search service which uses an algorithm to suggest search terms to users, an “algorithmic prompt”, must not apply any algorithm where any of the

words in the search term relate to any protected characteristic as defined in the Equality Act 2010.

- (2) If the word relating to a protected characteristic is not the first word input, the algorithmic prompt must cease as soon as the word relating to a protected characteristic is input by the user.”

Member’s explanatory statement

This new clause removes the ability of search services to allow their algorithms to create prompts in relation to protected characteristics. This removes entirely the possibility that a prompt would contain discriminatory language toward an individual or group with protected characteristics.

John Nicolson
Kirsty Blackman

NC18

To move the following Clause—

“Identification of information incidents by Ofcom

- (1) OFCOM must maintain arrangements for identifying and understanding patterns in the presence and dissemination of harmful misinformation and disinformation on regulated services.
- (2) Arrangements for the purposes of subsection (1) must in particular include arrangements for—
 - (a) identifying, and assessing the severity of, actual or potential information incidents; and
 - (b) consulting with persons with expertise in the identification, prevention and handling of disinformation and misinformation online (for the purposes of subsection (2)(a)).
- (3) Where an actual or potential information incident is identified, OFCOM must as soon as reasonably practicable—
 - (a) set out any steps that OFCOM plans to take under its online safety functions in relation to that situation; and
 - (b) publish such recommendations or other information that OFCOM considers appropriate.
- (4) Information under subsection (3) may be published in such a manner as appears to OFCOM to be appropriate for bringing it to the attention of the persons who, in OFCOM’s opinion, should be made aware of it.
- (5) OFCOM must prepare and issue guidance about how it will exercise its functions under this section and, in particular—
 - (a) the matters it will take into account in determining whether an information incident has arisen;
 - (b) the matters it will take into account in determining the severity of an incident; and
 - (c) the types of responses that OFCOM thinks are likely to be appropriate when responding to an information incident.
- (6) For the purposes of this section—

“harmful misinformation or disinformation” means misinformation or disinformation which, taking into account the manner and extent of its

dissemination, may have a material adverse effect on users of regulated services or other members of the public;

“information incident” means a situation where it appears to OFCOM that there is a serious or systemic dissemination of harmful misinformation or disinformation relating to a particular event or situation.”

Member’s explanatory statement

This new clause would insert a new clause into the Bill to give Ofcom a proactive role in identifying and responding to the sorts of information incidents that can occur in moments of crisis.

John Nicolson
Kirsty Blackman

NC19

To move the following Clause—

“Research conducted by regulated services

- (1) OFCOM may, at any time it considers appropriate, produce a report into how regulated services commission, collate, publish and make use of research.
- (2) For the purposes of the report, OFCOM may require services to submit to OFCOM—
 - (a) a specific piece of research held by the service, or
 - (b) all research the service holds on a topic specified by OFCOM.”

Alex Davies-Jones
Barbara Keeley

NC20

To move the following Clause—

“Use of proactive technology in private messaging: report

- (1) OFCOM must produce a report—
 - (a) examining the case for the use of proactive technology in private messaging where the aim is to identify CSEA content; and
 - (b) making recommendations to whether or not proactive technology should be used in such cases.
- (2) The report must be produced in consultation with organisations that have expertise and experience in tackling CSEA.
- (3) The report must be published and laid before both Houses of Parliament within six months of this Act being passed.”

Carla Lockhart

NC21

To move the following Clause—

“Meaning of “pornographic content”

- (1) In this Act “pornographic content” means any of the following—
- (a) a video work in respect of which the video works authority has issued an R18 certificate;
 - (b) content that was included in a video work to which paragraph (a) applies, if it is reasonable to assume from its nature that its inclusion was among the reasons why the certificate was an R18 certificate;
 - (c) any other content if it is reasonable to assume from its nature that any classification certificate issued in respect of a video work including it would be an R18 certificate;
 - (d) a video work in respect of which the video works authority has issued an 18 certificate, and that it is reasonable to assume from its nature was produced solely or principally for the purposes of sexual arousal;
 - (e) content that was included in a video work to which paragraph (d) applies, if it is reasonable to assume from the nature of the content—
 - (i) that it was produced solely or principally for the purposes of sexual arousal, and
 - (ii) that its inclusion was among the reasons why the certificate was an 18 certificate;
 - (f) any other content if it is reasonable to assume from its nature—
 - (i) that it was produced solely or principally for the purposes of sexual arousal, and
 - (ii) that any classification certificate issued in respect of a video work including it would be an 18 certificate;
 - (g) a video work that the video works authority has determined not to be suitable for a classification certificate to be issued in respect of it, if—
 - (i) it includes content that it is reasonable to assume from its nature was produced solely or principally for the purposes of sexual arousal, and
 - (ii) it is reasonable to assume from the nature of that content that its inclusion was among the reasons why the video works authority made that determination;
 - (h) content that was included in a video work that the video works authority has determined not to be suitable for a classification certificate to be issued in respect of it, if it is reasonable to assume from the nature of the content—
 - (i) that it was produced solely or principally for the purposes of sexual arousal, and
 - (ii) that its inclusion was among the reasons why the video works authority made that determination;

- (i) any other content if it is reasonable to assume from the nature of the content—
 - (i) that it was produced solely or principally for the purposes of sexual arousal, and
 - (ii) that the video works authority would determine that a video work including it was not suitable for a classification certificate to be issued in respect of it.

(2) In this section—

“18 certificate” means a classification certificate which—

- (a) contains, pursuant to section 7(2)(b) of the Video Recordings Act 1984, a statement that the video work is suitable for viewing only by persons who have attained the age of 18 and that no video recording containing that work is to be supplied to any person who has not attained that age, and
- (b) does not contain the statement mentioned in section 7(2)(c) of that Act that no video recording containing the video work is to be supplied other than in a licensed sex shop;

“classification certificate” has the same meaning as in the Video Recordings Act 1984 (see section 7 of that Act);

“content” means—

- (a) a series of visual images shown as a moving picture, with or without sound;
- (b) a still image or series of still images, with or without sound; or
- (c) sound;

“R18 certificate” means a classification certificate which contains the statement mentioned in section 7(2)(c) of the Video Recordings Act 1984 that no video recording containing the video work is to be supplied other than in a licensed sex shop;

“the video works authority” means the person or persons designated under section 4(1) of the Video Recordings Act 1984 as the authority responsible for making arrangements in respect of video works other than video games;

“video work” means a video work within the meaning of the Video Recordings Act 1984, other than a video game within the meaning of that Act.”

Member’s explanatory statement

This new clause defines pornographic content for the purposes of the Act and would apply to user-to-user services and commercial pornographic content.

Carla Lockhart

NC22

To move the following Clause—

“Requirement on Part 5 service to report CSEA

- (1) This section sets out a requirement which applies in relation to internet services within section 67(2).
- (2) A UK service must operate the service using systems and processes which secure (so far as possible) that the provider reports all detected and unreported CSEA content present on the service to the NCA.
- (3) A non-UK service must operate the service using systems and processes which secure (so far as possible) that the provider reports all detected and unreported UK-linked CSEA content present on the service to the NCA (and does not report to the NCA CSEA content which is not UK-linked).
- (4) Providers’ reports under this section—
 - (a) must meet the requirements set out in regulations under section 60, and
 - (b) must be sent to the NCA in the manner, and within the time frames, set out in those regulations.
- (5) Terms used in this section are defined in section 63.
- (6) This section applies only in relation to CSEA content detected on or after the date on which this section comes into force.”

Member’s explanatory statement

This new clause requires commercial pornographic websites to follow the same requirements as services in Part 3 on notification of child sexual abuse content.

Alex Davies-Jones
Barbara Keeley

NC23

To move the following Clause—

“Priority illegal content: violence against women and girls

- (1) For the purposes of this Act, any provision applied to priority illegal content should also be applied to any content which—
 - (a) constitutes,
 - (b) encourages, or
 - (c) promotesviolence against women or girls.
- (2) “Violence against women and girls” is defined by Article 3 of the Council of Europe Convention on Preventing Violence Against Women and Domestic Violence (“the Istanbul Convention”).”

Member’s explanatory statement

This new clause applies provisions to priority illegal content to content which constitutes, encourages or promotes violence against women and girls.

Alex Davies-Jones
Barbara Keeley

NC24

To move the following Clause—

“Civil claims for breach of duty

A user may bring civil proceedings against the provider of a regulated service in respect of a breach by a provider of any of its duties under Part 3 of this Act.”

Member’s explanatory statement

This new clause would enable users to bring civil proceedings against providers when providers fail to meet their duties under Part 3.

Kim Leadbeater

NC25

To move the following Clause—

“Annual reporting by OFCOM to Parliament

- (1) OFCOM must publish and lay before Parliament an annual report on the operation of its regulatory functions under this Act.
- (2) The report must include—
 - (a) an overall assessment of the continued effectiveness of this Act in reducing harm online;
 - (b) figures of the volume of content removed by category 1 services in compliance with their duties under this Act;
 - (c) details of the exercise of any powers by OFCOM under Chapter 4, Part 7 of this Act, including—
 - (i) the number of times each power has been exercised, and
 - (ii) the service providers subject to the power;
 - (d) the number of reports received by OFCOM from regulated services in compliance with their duties under this Act, including details of the type of content that the reports concern.”

Member’s explanatory statement

This new clause would require Ofcom to publish and lay before Parliament an annual report on the operation of its regulatory functions under the Act.

Alex Davies-Jones
Barbara Keeley

NC26

To move the following Clause—

“Report on synthetic media content harms

- (1) The Secretary of State must publish and lay before Parliament a report on the harms caused to users by synthetic media content appearing on regulated services.

- (2) The report must contain analysis of the harms caused specifically to individuals working in the entertainment industry, including, but not limited to, infringements of their intellectual property rights.
- (3) The report must be published within six months of this Act being passed.
- (4) In this section, “synthetic media content” means any content that has been produced or modified by automated means.”

Member’s explanatory statement

This new clause would require the Secretary of State to publish and lay before Parliament a report on the harms caused to users by synthetic media content (aka “deepfakes”). The report must contain particular reference to the harms caused to those working in the entertainment industry.

Kirsty Blackman
John Nicolson

NC27

☆ To move the following Clause—

“OFCOM: power to impose duties on regulated services

- (1) OFCOM may carry out an assessment of the risk of harm posed by any regulated service.
- (2) Where OFCOM assess a service to pose a very high risk of harm, OFCOM may, notwithstanding the categorisation of the service or the number or profile of its users, impose upon the service duties equivalent to—
 - (a) the children’s risk assessment duties set out in sections 10 and 25 of this Act; and
 - (b) the safety duties protecting children set out in sections 11 and 26 of this Act.”

Member’s explanatory statement

This new clause enables Ofcom to impose on any regulated service duties equivalent to the children’s risk assessment duties and the safety duties protecting children.

Kirsty Blackman
John Nicolson

NC28

☆ To move the following Clause—

“Empowerment features for child users

- (1) This section applies where a Part 3 service has empowerment features for adults of a type described in section 14(2).
- (2) OFCOM may require a service to provide equivalent features designed specifically for child users.
- (3) Where OFCOM places a requirement on a service under subsection (2) it must provide guidance to the service on how to ensure the features are easily accessible and understandable for children.”

Member's explanatory statement

This new clauses enables Ofcom to require services to provided empowerment features for child users.

Kirsty Blackman
John Nicolson

NC29

☆ To move the following Clause—

“Accessibility to adult users with learning disabilities

- (1) This section applies to the following functions—
 - (a) any user empowerment features provided under section 14;
 - (b) any content reporting systems or processes under section 17 or section 27;
 - (c) any complaints procedure under section 18 or section 28.
- (2) The service must, as part of its compliance with any duties under the sections listed in subsection (1), ensure that the functions are accessible and understandable to adult users with learning disabilities.”

Member's explanatory statement

This new clause requires complaints, user empowerment and user reporting functions to be accessible and understandable to adult users with learning disabilities.

Carla Lockhart

NC30

☆ To move the following Clause—

“OFCOM's guidance about duties set out in section 68

- (1) OFCOM must prepare and issue a code of practice for providers of internet services within section 67(2) for the purposes of compliance with their duties set out in section 68.
- (2) Where a code of practice under this section is in force, OFCOM may—
 - (a) prepare a draft of amendments of the code of practice,
 - (b) prepare a draft of a code of practice under subsection (1) as a replacement for a code of practice previously issued under the subsection in question, and
 - (c) withdraw the code of practice.
- (3) The code of practice must include—
 - (a) examples of measures and policies that may be appropriate for the purpose of compliance with the duty set out in section 68(2),
 - (b) examples of ways in which a provider may have regard to the importance of protecting users as mentioned in section 68(3)(b),
 - (c) principles that OFCOM propose to apply when determining whether a provider has complied with each of the duties set out in section 68, and
 - (d) examples of circumstances in which OFCOM are likely to consider that a provider has not complied with each of those duties.

- (4) In the course of preparing a draft of a code of practice or amendments of a code of practice under this section, OFCOM must consult—
- (a) the Secretary of State,
 - (b) persons who appear to OFCOM to represent providers of internet services within section 67(2),
 - (c) persons who appear to OFCOM to represent adult users of internet services within section 67(2),
 - (d) persons who appear to OFCOM to represent the interests of children (generally or with particular reference to online safety matters),
 - (e) the Information Commissioner,
 - (f) persons whom OFCOM consider to have expertise in innovation, or emerging technology, that is relevant to online safety matters, and
 - (g) such other persons as OFCOM consider appropriate.
- (5) But if OFCOM propose to revise the code of practice, and consider that the minor nature of the proposal means that consultation is unnecessary—
- (a) OFCOM must notify the Secretary of State of the proposed changes, and
 - (b) if the Secretary of State agrees that it is appropriate, the consultation requirements set out in subsection (3) do not apply in relation to the proposed changes.
- (6) The procedure for issuing the code of practice under this section shall be the same as the procedure in section 39.”

Member’s explanatory statement

This new clause ensures that Ofcom issues a code of practice under Part 5 in a similar way to Part 3.

Carla Lockhart

NC31

☆ To move the following Clause—

“Consistent codes of practice for pornographic material

The code of practices issued under sections 39 and 69 must be consistent on the requirements to meet the relevant duties that children should be prevented from encountering pornographic content.”

Member’s explanatory statement

This new clause ensures that providers under Parts 3 and 5 of the Bill will be required to prevent children from accessing to pornographic content in the same way.

Carla Lockhart

NC32

☆ To move the following Clause—

“Power to delegate functions

- (1) OFCOM may designate any body corporate to carry out the duties of this section in whole or in part.
- (2) OFCOM may not designate a body under subsection (1) unless, as respects that designation, they are satisfied that the body—
 - (a) is a fit and proper body to be designated;
 - (b) has consented to being designated;
 - (c) has access to financial resources that are adequate to ensure the effective performance of its functions under this section; and
 - (d) is sufficiently independent of providers regulated by this Act.”

Member’s explanatory statement

This new clause amendment allows Ofcom to delegate some of its regulatory powers to another body.

Carla Lockhart

NC33

☆ To move the following Clause—

“Commencement of Section 94 of the Digital Economy Act 2017

The Secretary of State must make regulations under section 118(6) (commencement) of the Digital Economy Act 2017 (“the 2017 Act”) to ensure that when Part 5 of this Act comes into force, section 94 (on-demand programme services: specially restricted material) of the 2017 Act come into force at the same time.”

Member’s explanatory statement

This new clause ensures that the definition of pornographic content that would apply to user-to-user services and commercial pornographic content would also apply to video on demand content by bringing into force the relevant section of the Digital Economy Act 2017.

Carla Lockhart

NC34

☆ To move the following Clause—

“Additional Duties on Pornographic Content

A user-to-user service has a duty to meet the conditions set out in Schedule (Additional duties on pornographic content).”

Member’s explanatory statement

This new clause ensures that user-to-user services must meet the new duties set out in NS1.

John Nicolson
Kirsty Blackman

NC36

☆ To move the following Clause—

“Communication offence for encouraging or assisting self-harm

(1) In the Suicide Act 1961, after section 3 insert—

“3A Communication offence for encouraging or assisting self-harm

(1) A person (“A”) commits an offence if—

- (a) A sends a message,
- (b) the message encourages or could be used to assist another person (“B”) to inflict serious physical harm upon themselves, and
- (c) A’s act was intended to encourage or assist the infliction of serious physical harm.

(2) The person referred to in subsection (1)(b) need not be a specific person (or class of persons) known to, or identified by, A.

(3) A may commit an offence under this section whether or not any person causes serious physical harm to themselves, or attempts to do so.

(4) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, or a fine, or both;
- (b) on indictment, to imprisonment for a term not exceeding 5 years, or a fine, or both.

(5) “Serious physical harm” means serious injury amounting to grievous bodily harm within the meaning of the Offences Against the Person Act 1861.

(6) No proceedings shall be instituted for an offence under this section except by or with the consent of the Director of Public Prosecutions.

(7) If A arranges for a person (“A2”) to do an Act and A2 does that Act, A is also to be treated as having done that Act for the purposes of subsection (1).

(8) In proceedings for an offence to which this section applies, it shall be a defence for A to prove that—

- (a) B had expressed intention to inflict serious physical harm upon themselves prior to them receiving the message from A;
- (b) B’s intention to inflict serious physical harm upon themselves was not initiated by A; and
- (c) the message was wholly motivated by compassion towards B or to promote the interests of B’s health or wellbeing.””

Kirsty Blackman

NC37

☆ To move the following Clause—

“The Digital Regulation Committee

- (1) There shall be a Committee, to be known as the Digital Regulation Committee and in this section referred to as “the Committee”, to undertake the following functions in connection with the provisions of this Act—
 - (a) to review all codes of practice and any other relevant publication produced by OFCOM; and
 - (b) to monitor and report on any other matter relevant to the functioning of this Act.
- (2) The Committee may publish reports in connection with its activities under subsection (1).
- (3) The Secretary of State must—
 - (a) respond to the recommendations contained in any report by the Committee within three months; and
 - (b) publish and lay copies of their response in both Houses of Parliament.
- (4) The Committee shall consist of twelve members—
 - (a) who shall be drawn from both the House of Commons and from members of the House of Lords; and
 - (b) none of whom shall be a Minister of the Crown.
- (5) The membership and Chair of the Committee shall be appointed by regulations made by the Secretary of State.
- (6) Details of the tenure of office of members of, the procedure of and other matters relating to, the Committee shall be set out in regulations made by the Secretary of State.
- (7) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.”

Carla Lockhart

NS1

☆ To move the following Schedule—

“Additional Duties on Pornographic Content

-
- 32 All user-to-user services and an internet service which provides regulated provider pornographic content must meet the following conditions for pornographic content and content that includes sexual photographs and films (“relevant content”).

The conditions are—

- (a) the service must not contain any prohibited material,
- (b) the service must verify the identity and age of all persons depicted in the content to ensure that all persons depicted are aged 18 or over,
- (c) the service must be able to provide evidence of the identity under sub-paragraph (c) on request,
- (d) the service must obtain and keep on record written consent from all persons depicted in the content,
- (e) the service must review all relevant content before publication,
- (f) the service must offer the ability for any person depicted in the content to appeal to remove the content in question.

33 In this Schedule—

“photographs and films” has the same meaning as section 34 of the Criminal Justice and Courts Act 2015 (meaning of “disclose” and “photograph or film”);

“prohibited material” has the same meaning as section 368E(3) of the Communications Act 2003 (harmful material).”

Member’s explanatory statement

The new schedule sets out additional duties for pornographic content which apply to user-to-user services under Part 3 and commercial pornographic websites under Part 5.

Order of the House

[19 April 2022]

That the following provisions shall apply to the Online Safety Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 30 June 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the Committee

[24 May 2022, as amended 26 May 2022]

That—

(1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 24 May) meet—

- (a) at 2.00 pm on Tuesday 24 May;
- (b) at 11.30 am and 2.00 pm on Thursday 26 May;
- (c) at 9.25 am and 2.00 pm on Tuesday 7 June;
- (d) at 11.30 am and 2.00 pm on Thursday 9 June;
- (e) at 9.25 am and 2.00 pm on Tuesday 14 June;
- (f) at 11.30 am and 2.00 pm on Thursday 16 June;
- (g) at 9.25 am and 2.00 pm on Tuesday 21 June;
- (h) at 11.30 am and 2.00 pm on Thursday 23 June;
- (i) at 9.25 am and 2.00 pm on Tuesday 28 June;
- (j) at 11.30 am and 2.00 pm on Thursday 30 June;

(2) the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 24 May	Until no later than 10.05 am	Ofcom
Tuesday 24 May	Until no later than 10.50 am	Dame Rachel de Souza, Children's Commissioner for England; Barnado's; National Society for the Prevention of Cruelty to Children (NSPCC)
Tuesday 24 May	Until no later than 11.25 am	TikTok; Twitter
Tuesday 24 May	Until no later than 2.45 pm	Meta; Microsoft; Google
Tuesday 24 May	Until no later than 3.30 pm	Professor Clare McGlynn, Professor of Law, Durham University; Refuge; End Violence Against Women
Tuesday 24 May	Until no later than 4.15 pm	techUK; Online Safety Tech Industry Association (OSTIA); Crisp
Tuesday 24 May	Until no later than 5.00 pm	Match Group; Bumble; TrustElevate
Tuesday 24 May	Until no later than 5.30 pm	Marie Collins Foundation; Internet Watch Foundation (IWF)
Tuesday 24 May	Until no later than 6.00 pm	Demos; FairVote

Date	Time	Witness
Thursday 26 May	Until no later than 12.15 pm	Catch22; Full Fact; Carnegie UK Trust
Thursday 26 May	Until no later than 1.00 pm	Antisemitism Policy Trust; Clean up the Internet; HOPE not hate
Thursday 26 May	Until no later than 2.25 pm	Information Commissioner's Office
Thursday 26 May	Until no later than 2.55 pm	Kick It Out; Barnardo's
Thursday 26 May	Until no later than 3.25 pm	Center for Countering Digital Hate; Reset
Thursday 26 May	Until no later than 3.55 pm	News Media Association; Guardian Media Group
Thursday 26 May	Until no later than 4.40 pm	Personal Investment Management & Financial Advice Association (PIMFA); Which?; Money Saving Expert
Thursday 26 May	Until no later than 5.05 pm	Frances Haugen

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 3; Schedules 1 and 2; Clauses 4 to 32; Schedule 3; Clauses 33 to 38; Schedule 4; Clauses 39 to 52; Schedules 5 to 7; Clauses 53 to 64; Schedule 8; Clauses 65 to 67; Schedule 9; Clauses 68 to 80; Schedule 10; Clauses 81 to 91; Schedule 11; Clauses 92 to 122; Schedule 12; Clauses 123 to 158; Schedule 13; Clauses 159 to 161; Schedule 14; Clauses 162 to 194; new Clauses; new Schedules; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 30 June.

Withdrawn Amendments

The following amendments were withdrawn on 6 June 2022:

8 and 9
