

Oct 2023

OSB HL Bill 164 (as amended on Report): summary of differences in obligations between regulated services

Obligation	Who			
	Cat 1	Cat 2B	All reg. search	Cat 2A
Illegal content risk assessment	✓	✓	✓	✓
Illegal content	✓	✓	✓	✓
Summarise findings of most recent illegal content risk assessment in ToS	✓	✗	✗	✗
Summarise findings of most recent illegal content risk assessment in a publicly available statement	✗	✗	✗	✓
Content reporting	✓	✓	✓	✓
Reporting detected CSEA content	✓	✓	✓	✓
Complaints procedures	✓	✓	✓	✓
FoE and privacy (particular regard to the importance of)	✓	✓	✓	✓
FoE and privacy (impact assessments)	✓	✗	✗	✗
Record keeping and review	✓	✓	✓	✓
Maintain clear records of adult user empowerment duty assessments, incl. methods & findings, and supply Ofcom a copy	✓	✗	✗	✗
Supply Ofcom with a copy of a record of illegal content and children risk assessments	✓	✗	✗	✓
Children's risk assessment	✓	✓	✓	✓
Children's online safety	✓	✓	✓	✓
Summarise findings of most recent children's risk assessment in ToS	✓	✗	✗	✗
Summarise findings of most recent children's risk assessment in a publicly available statement	✗	✗	✗	✓
Adult user empowerment	✓	✗	✗	✗
Content of democratic importance	✓	✗	✗	✗
News publisher content	✓	✗	✗	✗
Journalistic content	✓	✗	✗	✗
Children's access assessments	✓	✓	✓	✓
Fraudulent advertising	✓	✗	✗	✓
User identity verification	✓	✗	✗	✗
Not to act against users except in accordance with ToS	✓	✗	✗	✗
Clear and accessible provisions in ToS in re: right to bring a claim for breach of contract	✓	✓	✗	✗
Systems and processes to enforce ToS in re: removal or restriction of legal content, the banning or suspension of users	✓	✗	✗	✗
Annual transparency reports	✓	✓	✗	✓
Notify Ofcom	✓	✓	✓	✓
Pay fees	✓	✓	✓	✓