

## SCHEDULES

### SCHEDULE 16

Section 209

#### AMENDMENTS OF PART 4B OF THE COMMUNICATIONS ACT

- 1 Part 4B of the Communications Act (video-sharing platform services) is amended in accordance with this Schedule.
- 2 In section 368U (maintenance of list of providers)—
  - (a) omit subsection (2);
  - (b) for subsection (3) substitute—

“(3) OFCOM must publish the up to date list on a publicly accessible part of their website.”
- 3 In section 368V(4) (meaning of “significant differences”), for the words from “the determination of jurisdiction” to the end substitute “whether or not the person has the required connection with the United Kingdom under section 368S(2)(d)”.
- 4 In section 368Y(2)(d) (information to be provided by providers of video-sharing platform services), for the words from “under the jurisdiction” to the end substitute “subject to regulation under this Part in respect of the video-sharing platform service that P provides”.
- 5 In section 368Z1(3) (duty to take appropriate measures), for the words from “of the description” to the end substitute “to monitor the information which they transmit or store, or actively to seek to discover facts or circumstances indicating illegal activity”.
- 6 In section 368Z10(3)(a) (power to demand information), for the words from “falls under” to the end substitute “has the required connection with the United Kingdom under section 368S(2)(d)”.
- 7 For section 368Z12 (co-operation with member States and the European Commission) substitute—

#### **“368Z12 Co-operation with EEA States**

OFCOM may co-operate with EEA states which are subject to the Audiovisual Media Services Directive, and with the national regulatory authorities of such EEA states, for the following purposes—

- (a) facilitating the carrying out by OFCOM of any of their functions under this Part; or
- (b) facilitating the carrying out by the national regulatory authorities of the EEA states of any of their functions in relation to video-sharing platform services under that Directive as it has effect in EU law as amended from time to time.”