



Online Safety Act 2023

2023 CHAPTER 50

PART 3

PROVIDERS OF REGULATED USER-TO-USER SERVICES AND REGULATED SEARCH SERVICES: DUTIES OF CARE

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PROVIDERS OF SEARCH SERVICES: DUTIES OF CARE

Cross-cutting duties

33 Duties about freedom of expression and privacy

- (1) This section sets out the duties about freedom of expression and privacy which apply in relation to all regulated search services.
- (2) When deciding on, and implementing, safety measures and policies, a duty to have particular regard to the importance of protecting the rights of users and interested persons to freedom of expression within the law.
- (3) When deciding on, and implementing, safety measures and policies, a duty to have particular regard to the importance of protecting users from a breach of any statutory provision or rule of law concerning privacy that is relevant to the use or operation of a search service (including, but not limited to, any such provision or rule concerning the processing of personal data).
- (4) In this section—
 - “interested person” has the meaning given by section 227(7);
 - “safety measures and policies” means measures and policies designed to secure compliance with any of the duties set out in—
 - (a) section 27 (illegal content),
 - (b) section 29 (children’s online safety),

Status: Point in time view as at 10/01/2024.

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, Section 33. (See end of Document for details)

- (c) section 31 (content reporting), or
- (d) section 32 (complaints procedures).

Commencement Information

- I1** S. 33 not in force at Royal Assent, see **s. 240(1)**
- I2** S. 33 in force at 10.1.2024 by S.I. 2023/1420, **reg. 2(j)**

Status:

Point in time view as at 10/01/2024.

Changes to legislation:

There are currently no known outstanding effects for the Online Safety Act 2023, Section 33.