



Online Safety Act 2023

2023 CHAPTER 50

PART 3

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

CHAPTER 6

CODES OF PRACTICE AND GUIDANCE

Codes of practice

47 Review of codes of practice

- (1) OFCOM must keep under review each code of practice published under section 46.
- (2) The Secretary of State may require OFCOM to review a terrorism or CSEA code of practice published under section 46 if the Secretary of State considers a review to be necessary for reasons of national security or public safety (and the Secretary of State must notify OFCOM whether the reasons fall into the category of national security or public safety).
- (3) OFCOM must carry out a review of the code of practice under subsection (2) as soon as reasonably practicable, and when it is completed—
 - (a) if OFCOM consider that changes are required, they must prepare a draft of amendments to the code of practice or a draft of a replacement code of practice under section 41, or
 - (b) if OFCOM consider that no changes are required, they must submit to the Secretary of State a statement which explains the reasons for that conclusion.
- (4) Subsection (5) applies if—
 - (a) OFCOM submit a statement under subsection (3)(b) to the Secretary of State,

Status: This is the original version (as it was originally enacted).

- (b) the period of 45 days beginning with the day on which the statement was submitted has elapsed, and
 - (c) the Secretary of State has not given a direction under section 44(5).
- (5) OFCOM must publish the statement as soon as reasonably practicable after the end of the period mentioned in subsection (4)(b), making it clear which code of practice the statement relates to.
- (6) In advance of publication, the Secretary of State may make representations to OFCOM about the desirability of removing or obscuring information in the statement (whether by redaction or otherwise) in order to prevent the disclosure of matters that the Secretary of State considers would be against the interests of national security, public safety or relations with the government of a country outside the United Kingdom (and see also section 116(3)).
- (7) In this section “terrorism or CSEA code of practice” means a code of practice under section 41(1) or (2).