



Online Safety Act 2023

2023 CHAPTER 50

PART 7

OFCOM'S POWERS AND DUTIES IN RELATION TO REGULATED SERVICES

CHAPTER 3

RISK ASSESSMENTS OF REGULATED USER-TO-USER SERVICES AND REGULATED SEARCH SERVICES

99 OFCOM's guidance about risk assessments

- (1) As soon as reasonably practicable after OFCOM have published the first risk profiles relating to the illegality risks, OFCOM must produce guidance to assist providers of regulated user-to-user services in complying with their duties to carry out illegal content risk assessments under section 9.
- (2) As soon as reasonably practicable after OFCOM have published the first risk profiles relating to the risk of harm from illegal content, OFCOM must produce guidance to assist providers of regulated search services in complying with their duties to carry out illegal content risk assessments under section 26.
- (3) As soon as reasonably practicable after OFCOM have published the first risk profiles relating to the risk of harm to children, OFCOM must produce guidance to assist providers of Part 3 services in complying with their duties to carry out children's risk assessments under section 11 or 28.
- (4) Before producing any guidance under this section (including revised or replacement guidance), OFCOM must consult the Information Commissioner.
- (5) OFCOM must revise guidance under this section from time to time in response to further risk assessments under section 98 or to revisions of the risk profiles.
- (6) OFCOM must publish guidance under this section (and any revised or replacement guidance).

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, Section 99. (See end of Document for details)

- (7) If the risk profiles mentioned in subsection (3) relate to regulated user-to-user services only or to regulated search services only, that subsection is to be read as requiring the production of guidance relating only to regulated user-to-user services or to regulated search services, as the case may be.
- (8) References in this section to regulated search services include references to the search engine of combined services.
- (9) In this section—
- “illegality risks” means the risks mentioned in section 98(1)(a);
 - “risk of harm from illegal content” means the risk of harm mentioned in section 98(1)(b);
 - “risk of harm to children” means the risk of harm mentioned in section 98(1)(c);
 - “risk profiles” means risk profiles prepared under section 98.

Commencement Information

II S. 99 in force at Royal Assent, see [s. 240\(4\)\(q\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Online Safety Act 2023, Section 99.