



# Online Safety Act 2023

## 2023 CHAPTER 50

### PART 4

#### OTHER DUTIES OF PROVIDERS OF REGULATED USER-TO-USER SERVICES AND REGULATED SEARCH SERVICES

### CHAPTER 1

#### USER IDENTITY VERIFICATION

#### **64 User identity verification**

- (1) A provider of a Category 1 service must offer all adult users of the service the option to verify their identity (if identity verification is not required for access to the service).
- (2) The verification process may be of any kind (and in particular, it need not require documentation to be provided).
- (3) A provider of a Category 1 service must include clear and accessible provisions in the terms of service explaining how the verification process works.
- (4) If a person is the provider of more than one Category 1 service, the duties set out in this section apply in relation to each such service.
- (5) The duty set out in subsection (1) applies in relation to all adult users, not just those who begin to use a service after that duty begins to apply.
- (6) The duties set out in this section extend only to—
  - (a) the user-to-user part of a service, and
  - (b) the design, operation and use of a service in the United Kingdom.
- (7) For the purposes of this section a person is an “adult user” of a service if the person is an adult in the United Kingdom who—
  - (a) is a user of the service, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) seeks to begin to use the service (for example by setting up an account).
- (8) For the meaning of “Category 1 service”, see section 95 (register of categories of services).

## **65 OFCOM’s guidance about user identity verification**

- (1) OFCOM must produce guidance for providers of Category 1 services to assist them in complying with the duty set out in section 64(1).
- (2) In producing the guidance (including revised or replacement guidance), OFCOM must have particular regard to the desirability of ensuring that providers of Category 1 services offer users a form of identity verification likely to be available to vulnerable adult users.
- (3) Before producing the guidance (including revised or replacement guidance), OFCOM must consult—
  - (a) the Information Commissioner,
  - (b) persons whom OFCOM consider to have technological expertise relevant to the duty set out in section 64(1),
  - (c) persons who appear to OFCOM to represent the interests of vulnerable adult users of Category 1 services, and
  - (d) such other persons as OFCOM consider appropriate.
- (4) OFCOM must publish the guidance (and any revised or replacement guidance).