



# Online Safety Act 2023

## 2023 CHAPTER 50

### PART 3

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

### CHAPTER 2

#### PROVIDERS OF USER-TO-USER SERVICES: DUTIES OF CARE

##### *Category 1 services*

#### **14 Assessment duties: user empowerment**

- (1) This section sets out the duties about assessments related to adult user empowerment which apply in relation to Category 1 services (in addition to the duties about risk assessments set out in section 9 and, in the case of Category 1 services likely to be accessed by children, section 11).
- (2) A duty to carry out a suitable and sufficient assessment for the purposes of section 15(2) at a time set out in, or as provided by, Schedule 3.
- (3) A duty to take appropriate steps to keep such an assessment up to date.
- (4) Before making any significant change to any aspect of a service's design or operation, a duty to carry out a further suitable and sufficient assessment for the purposes of section 15(2) relating to the impacts of that proposed change.
- (5) An assessment of a service "for the purposes of section 15(2)" means an assessment of the following matters—
  - (a) the user base;
  - (b) the incidence of relevant content on the service;

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**Changes to legislation:** Online Safety Act 2023, Section 14 is up to date with all changes known to be in force on or before 05 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (c) the likelihood of adult users of the service encountering, by means of the service, each kind of relevant content (with each kind separately assessed), taking into account (in particular) algorithms used by the service, and how easily, quickly and widely content may be disseminated by means of the service;
  - (d) the likelihood of adult users with a certain characteristic or who are members of a certain group encountering relevant content which particularly affects them;
  - (e) the likelihood of functionalities of the service facilitating the presence or dissemination of relevant content, identifying and assessing those functionalities more likely to do so;
  - (f) the different ways in which the service is used, and the impact of such use on the likelihood of adult users encountering relevant content;
  - (g) how the design and operation of the service (including the business model, governance, use of proactive technology, measures to strengthen adult users' control over their interaction with user-generated content, and other systems and processes) may reduce or increase the likelihood of adult users encountering relevant content.
- (6) In this section “relevant content” means content to which section 15(2) applies (content to which user empowerment duties set out in that provision apply).
- (7) See also—
- (a) section 23(9) and (10) (records of assessments), and
  - (b) Schedule 3 (timing of providers' assessments).

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**Commencement Information**

**I1** S. 14 not in force at Royal Assent, see [s. 240\(1\)](#)

**I2** S. 14 in force at 10.1.2024 by [S.I. 2023/1420](#), [reg. 2\(e\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(6A) inserted by [2024 c. 15 Sch. 7 para. 5\(2\)\(b\)](#)