



Online Safety Act 2023

2023 CHAPTER 50

PART 7 U.K.

OFCOM'S POWERS AND DUTIES IN RELATION TO REGULATED SERVICES

CHAPTER 8 U.K.

MEDIA LITERACY

165 Media literacy U.K.

(1) Section 11 of the Communications Act is amended in accordance with subsections (2) to (5).

(2) Before subsection (1) insert—

“(A1) In this section—

- (a) subsection (1) imposes duties on OFCOM which apply in relation to material published by means of the electronic media (including by means of regulated services), and
- (b) subsections (1A) to (1E) expand on those duties, and impose further duties on OFCOM, in relation to regulated services only.”

(3) After subsection (1) insert—

“(1A) OFCOM must take such steps, and enter into such arrangements, as they consider most likely to be effective in heightening the public’s awareness and understanding of ways in which they can protect themselves and others when using regulated services, in particular by helping them to—

- (a) understand the nature and impact of harmful content and the harmful ways in which regulated services may be used, especially content and activity disproportionately affecting particular groups, including women and girls;

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, Section 165. (See end of Document for details)

- (b) reduce their and others' exposure to harmful content and to the use of regulated services in harmful ways, especially content and activity disproportionately affecting particular groups, including women and girls;
 - (c) use or apply—
 - (i) features included in a regulated service, including features mentioned in section 15(2) of the Online Safety Act 2023, and
 - (ii) tools or apps, including tools such as browser extensions, so as to mitigate the harms mentioned in paragraph (b);
 - (d) establish the reliability, accuracy and authenticity of content;
 - (e) understand the nature and impact of disinformation and misinformation, and reduce their and others' exposure to it;
 - (f) understand how their personal information may be protected.
- (1B) OFCOM must take such steps, and enter into such arrangements, as they consider most likely to encourage the development and use of technologies and systems for supporting users of regulated services to protect themselves and others as mentioned in paragraph (a), (b), (c), (d) or (e) of subsection (1A), including technologies and systems which—
- (a) provide further context to users about content they encounter;
 - (b) help users to identify, and provide further context about, content of democratic importance present on regulated user-to-user services;
 - (c) signpost users to resources, tools or information raising awareness about how to use regulated services so as to mitigate the harms mentioned in subsection (1A)(b).
- (1C) OFCOM's duty under subsection (1A) is to be performed in the following ways (among others)—
- (a) pursuing activities and initiatives,
 - (b) commissioning others to pursue activities and initiatives,
 - (c) taking steps designed to encourage others to pursue activities and initiatives, and
 - (d) making arrangements for the carrying out of research (see section 14(6)(a)).
- (1D) OFCOM must draw up, and from time to time review and revise, a statement recommending ways in which others, including providers of regulated services, might develop, pursue and evaluate activities or initiatives relevant to media literacy in relation to regulated services.
- (1E) OFCOM must publish the statement and any revised statement in such manner as they consider appropriate for bringing it to the attention of the persons who, in their opinion, are likely to be affected by it.”
- (4) After subsection (2) insert—
- “(3) In this section and in section 11A, “regulated service” means—
- (a) a regulated user-to-user service, or
 - (b) a regulated search service.

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“Regulated user-to-user service” and “regulated search service” have the same meaning as in the Online Safety Act 2023 (see section 4 of that Act).

(4) In this section—

- (a) “content”, in relation to regulated services, means regulated user-generated content, search content or fraudulent advertisements;
- (b) the following terms have the same meaning as in the Online Safety Act 2023—
 - “content of democratic importance” (see section 17 of that Act);
 - “fraudulent advertisement” (see sections 38 and 39 of that Act);
 - “harm” (see section 234 of that Act) (and “harmful” is to be interpreted consistently with that section);
 - “provider” (see section 226 of that Act);
 - “regulated user-generated content” (see section 55 of that Act);
 - “search content” (see section 57 of that Act).”

(5) In the heading, for “Duty” substitute “Duties”.

(6) In section 14 of the Communications Act (consumer research), in subsection (6)(a), after “11(1)” insert “, (1A) and (1B)”.

Commencement Information

- 11** S. 165 not in force at Royal Assent, see [s. 240\(1\)](#)
- 12** S. 165 in force at 10.1.2024 by [S.I. 2023/1420](#), [reg. 2\(z19\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Online Safety Act 2023, Section 165.