



# Online Safety Act 2023

## 2023 CHAPTER 50

### PART 12

#### INTERPRETATION AND FINAL PROVISIONS

##### *Interpretation*

#### **235 “Online safety functions” and “online safety matters”**

- (1) In this Act references to OFCOM’s “online safety functions”—
- (a) are references to—
    - (i) the functions that OFCOM have under this Act,
    - (ii) the functions that OFCOM have under the provisions of the Communications Act listed in subsection (2), so far as those functions relate to regulated services or Part 3 services (as the case may be), and
    - (iii) the functions that OFCOM have under section 3 of the Communications Act (general duties), so far as duties under that section relate to a function which is an online safety function by reason of sub-paragraph (i) or (ii);
  - (b) include references to OFCOM’s power to do anything appearing to them to be incidental or conducive to the carrying out of any of their functions within paragraph (a)(i) or (ii) (see section 1(3) of the Communications Act).
- (2) These are the provisions of the Communications Act referred to in subsection (1)(a)(ii)—
- (a) section 6 (duties to review regulatory burdens);
  - (b) section 7 (duty to carry out impact assessments);
  - (c) section 8 (duty to publish and meet promptness standards);
  - (d) sections 11 and 11A (duties to promote media literacy);
  - (e) sections 12 and 13 (Content Board);
  - (f) section 14(6)(a) (research about media literacy);
  - (g) section 14(6B) (research about users’ experience of regulated services);

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*Status: This is the original version (as it was originally enacted).*

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- (h) section 16 (consumer consultation);
  - (i) section 20 (advisory committees for different parts of the United Kingdom);
  - (j) section 21 (advisory committee on elderly and disabled persons);
  - (k) section 22 (representation on international and other bodies);
  - (l) section 26 (publication of information and advice for consumers etc).
- (3) References to OFCOM’s “online safety functions” also include references to OFCOM’s duty to comply with any of the following, so far as relating to the use of a regulated service by a person who has died—
- (a) a notice from a senior coroner under paragraph 1(2) of Schedule 5 to the Coroners and Justice Act 2009 in connection with an investigation into a person’s death;
  - (b) a request for information in connection with the investigation of a procurator fiscal into, or an inquiry held or to be held in relation to, a person’s death;
  - (c) a notice from a coroner under section 17A(2) of the [Coroners Act \(Northern Ireland\) 1959 \(c. 15 \(N.I.\)\)](#) in connection with—
    - (i) an investigation to determine whether an inquest into a person’s death is necessary, or
    - (ii) an inquest in relation to a person’s death.
- (4) In this Act “online safety matters” means the matters to which OFCOM’s online safety functions relate.
- (5) In subsection (3)(b) “inquiry” means an inquiry held, or to be held, under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act [2016 \(asp 2\)](#).