
Report Stage — Re-committed Clauses and Schedules:
Tuesday 10 January 2023

Online Safety Bill (Amendment Paper)

This document lists all amendments tabled to the re-committed Clauses and Schedules of the Online Safety Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: 1 to 42 and NC1 and NC2

Alex Davies-Jones

NC1

★ To move the following Clause—

“Report on redress for individual complaints

- (1) The Secretary of State must publish a report assessing options for dealing with appeals about complaints made under section 17 of this Act.
- (2) The report must—
 - (a) provide a general update on the fulfilment of duties about complaints procedures which apply in relation to all regulated user-to-user services;
 - (b) assess which body should be responsible for a system to deal with appeals in cases where a complainant considers that a complaint has not been satisfactorily dealt with; and
 - (c) provide options for how the system should be funded, including consideration of whether an annual surcharge could be imposed on user-to-user services.
- (3) The report must be laid before Parliament within six months of the commencement of section 17.”

Sir William Cash
Miriam Cates
Sally-Ann Hart

NC2

★ To move the following Clause—

“Offence of failing to comply with a relevant duty

- (1) The provider of a service to whom a relevant duty applies commits an offence if the provider fails to comply with the duty.

- (2) In the application of sections 178(2) and 179(5) to an offence under this section where the offence has been committed with the consent or connivance of an officer of the entity or is attributable to any neglect on the part of an officer of the entity, the references in those provisions to an officer of an entity include references to any person who, at the time of the commission of the offence—
- (a) was (within the meaning of section 93) a senior manager of the entity in relation to the activities of the entity in the course of which the offence was committed; or
 - (b) was a person purporting to act in such a capacity.
- (3) A person who commits an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding two years or a fine (or both).
- (4) In this section, “relevant duty” means a duty provided for by section 11 of this Act.”

Member’s explanatory statement

This new clause makes it an offence for the provider of a user-to-service not to comply with the safety duties protecting children set out in clause 11. Where the offence is committed with the consent or connivance of a senior manager or other officer of the provider, or is attributable to their neglect, the officer, as well as the entity, is guilty of the offence.

Secretary Michelle Donelan

1

★ Clause 5, page 4, leave out lines 41 and 42

Member’s explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

2

★ Clause 6, page 5, line 15, leave out “, (3) and (4)” and insert “and (3)”

Member’s explanatory statement

This amendment removes a reference to what was subsection (4) of clause 18, as that provision has been moved to clause 65.

Secretary Michelle Donelan

3

- ★ Clause 6, page 5, line 26, leave out paragraphs (a) and (b)

Member's explanatory statement

This amendment is consequential on the removal of clauses 12 and 13 of the Bill as amended on Report.

Secretary Michelle Donelan

4

- ★ Clause 10, page 8, line 38, leave out from "8" to ")" in line 40

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

5

- ★ Clause 36, page 38, line 6, leave out paragraph (c)

Member's explanatory statement

This amendment is consequential on the removal of clause 13 of the Bill as amended on Report.

Secretary Michelle Donelan

6

- ★ Clause 46, page 45, line 23, leave out paragraph (c)

Member's explanatory statement

This amendment is consequential on the removal of clause 13 of the Bill as amended on Report.

Secretary Michelle Donelan

7

- ★ Clause 56, page 54, line 11, leave out “or 55”

Member’s explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

8

- ★ Clause 56, page 54, line 15, leave out sub-paragraph (ii)

Member’s explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

9

- ★ Clause 56, page 54, line 18, leave out “individuals” and insert “children”

Member’s explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

10

- ★ Clause 89, page 79, line 14, leave out paragraph (d)

Member’s explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

11

- ★ Clause 89, page 79, line 31, leave out subsection (6)

Member’s explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

12

- ★ Clause 89, page 80, line 5, leave out “or (d)”

Member’s explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

13

- ★ Clause 89, page 80, leave out lines 15 and 16

Member's explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

14

- ★ Clause 89, page 80, leave out lines 20 and 21

Member's explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

15

- ★ Clause 90, page 80, line 36, leave out subsection (4)

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

16

- ★ Clause 90, page 81, leave out lines 13 and 14

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

17

- ★ Clause 197, page 162, line 26, leave out paragraph (b)

Member's explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

18

- ★ Clause 205, page 169, line 35, leave out "or adults"

Member's explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

19

- ★ Clause 205, page 169, line 35, leave out "or adults (as the case may be)"

Member's explanatory statement

This amendment is consequential on the removal of the adult safety duties.

Secretary Michelle Donelan

20

- ★ Clause 208, page 173, leave out line 16

Member's explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan

21

- ★ Clause 208, page 174, leave out lines 6 and 7

Member's explanatory statement

This amendment removes the reference in the index to the "maximum summary term for either-way offences", as that term no longer appears in the Bill.

Secretary Michelle Donelan 22

- ★ Clause 208, page 174, leave out lines 24 and 25

Member’s explanatory statement

This amendment is consequential on the removal of clause 55 of the Bill as amended on Report.

Secretary Michelle Donelan 23

- ★ Clause 208, page 175, line 13, at end insert—

“restricting users’ access to content (in Part 3) | section 52”

Member’s explanatory statement

This amendment adds a definition of “restricting users’ access to content” to the index of defined terms.

Secretary Michelle Donelan 24

- ★ Schedule 3, page 189, line 37, leave out paragraph 6

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 25

- ★ Schedule 3, page 191, line 10, leave out “to 14” and insert “and 13”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 26

- ★ Schedule 3, page 191, line 18, leave out sub-paragraph (3)

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

27

- ★ Schedule 3, page 191, line 22, leave out “to 14” and insert “and 13”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

28

- ★ Schedule 3, page 191, line 39, leave out paragraph 14

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

29

- ★ Schedule 3, page 192, line 14, leave out “or paragraph 6”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

30

- ★ Schedule 3, page 192, line 15, leave out “, CAA or adults’ risk assessment” and insert “or CAA”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

31

- ★ Schedule 3, page 192, line 19, leave out “, 17 or 18” and insert “or 17”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

32

- ★ Schedule 3, page 192, line 21, leave out “and paragraph 6 apply” and insert “applies”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 33

- ★ Schedule 3, page 192, line 41, leave out paragraph 18

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 34

- ★ Schedule 3, page 193, line 10, leave out paragraph (b)

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 35

- ★ Schedule 3, page 193, line 13, leave out “, a CAA or an adults' risk assessment” and insert “or a CAA”

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 36

- ★ Schedule 3, page 193, line 25, leave out “, a CAA or an adults' risk assessment” and insert “or a CAA”

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 37

- ★ Schedule 3, page 193, line 27, leave out “or paragraph 6”

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan 38

- ★ Schedule 3, page 193, line 39, leave out paragraph (c)

Member's explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

39

- ★ Schedule 3, page 193, line 41, leave out “, CAA or adults’ risk assessment” and insert “or CAA”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

40

- ★ Schedule 3, page 193, line 43, leave out “or paragraph 6”

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

41

- ★ Schedule 3, page 194, leave out lines 17 and 18

Member’s explanatory statement

This amendment is consequential on the removal of clause 12 of the Bill as amended on Report.

Secretary Michelle Donelan

42

- ★ Schedule 4, page 198, line 19, leave out paragraph (c)

Member’s explanatory statement

This amendment is consequential on the removal of clause 13 of the Bill as amended on Report.

Order of the House

[19 April 2022]

That the following provisions shall apply to the Online Safety Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 30 June 2022.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the House

[12 July 2022]

That the Order of 19 April 2022 in the last Session of Parliament (Online Safety Bill: Programme) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
3. Proceedings on Consideration—
 - (a) shall be taken on each of those days in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
First day	
New clauses and new Schedules relating to, and amendments to, Part 1, Part 2 and Chapters 1 to 4, 6 and 7 of Part 3 (except amendments relating to the repeal of Part 4B of the Communications Act 2003)	4.30 pm on the first day
New clauses and new Schedules relating to, and amendments to, Chapter 5 of Part 3, Part 4, Part 5, Part 6, clauses 160 to 162 and Schedule 15, clauses 163 to 171, clauses 176 to 182, and Part 12 (except amendments relating to the repeal of Part 4B of the Communications Act 2003)	7.00 pm on the first day
Second day	
New clauses, new Schedules and amendments relating to the repeal of Part 4B of the Communications Act 2003, and remaining proceedings on Consideration	6.00 pm on the second day

4. Proceedings on Third Reading shall be taken on the second day and shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Order of the House

[5 December 2022]

That the following provisions shall apply to the Online Safety Bill for the purpose of varying and supplementing the Order of 19 April 2022 in the last session of Parliament (Online Safety Bill: Programme) as varied by the Orders of 12 July 2022 (Online Safety Bill: Programme (No.2)) and today (Online Safety Bill: Programme (No.3)).

Re-committal

- The Bill shall be re-committed to a Public Bill Committee in respect of the following Clauses and Schedules—
 - in Part 3, Clauses 11 to 14, 17 to 20, 29, 45, 54 and 55 of the Bill as amended in Public Bill Committee;
 - in Part 4, Clause 64 of, and Schedule 8 to, the Bill as amended in Public Bill Committee;
 - in Part 7, Clauses 78, 81, 86, 89 and 112 of, and Schedule 11 to, the Bill as amended in Public Bill Committee;
 - in Part 9, Clause 150 of the Bill as amended in Public Bill Committee;
 - in Part 11, Clause 161 of the Bill as amended in Public Bill Committee;

- (f) in Part 12, Clauses 192, 195 and 196 of the Bill as amended in Public Bill Committee;
- (g) New Clause [Repeal of Part 4B of the Communications Act: transitional provision etc] if it has been added to the Bill and New Schedule [Video-sharing platform services: transitional provision etc] if it has been added to the Bill.

Proceedings in Public Bill Committee on re-committal

2. Proceedings in the Public Bill Committee on re-committal shall (so far as not previously concluded) be brought to a conclusion on Thursday 15 December 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration following re-committal and Third Reading

4. Proceedings on Consideration following re-committal shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
 5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
 6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration following re-committal.
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