

*Status: Point in time view as at 01/11/2020.*

*Changes to legislation: Communications Act 2003, Cross Heading: Appropriate measures is up to date with all changes known to be in force on or before 26 May 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)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 15A

#### VIDEO-SHARING PLATFORM SERVICES: APPROPRIATE MEASURES FOR THE PURPOSES OF SECTION 368Z1(1)

##### Textual Amendments

- F1** Sch. 15A inserted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), 48 (with Pt. 7)

##### *Appropriate measures*

1. Paragraphs 2 to 9 set out the measures which it may be appropriate for a person who provides a video-sharing platform service to take in relation to that service for the purposes mentioned in section 368Z1(1).
2. Include terms and conditions to the effect that if a person uploads to the service a video that contains any restricted material, that person must bring it to the attention of the person who is providing the service.
3. Include terms and conditions to the effect that a person must not upload to the service a video containing relevant harmful material.
4. Include terms and conditions to the effect that—
  - (a) a person must not upload to the service a video containing an audiovisual commercial communication for a product mentioned in section 368Z(2),
  - (b) a person must not upload to the service a video containing an audiovisual commercial communication for an alcoholic drink unless that communication meets the requirements in section 368Z(3), (4) and (5), and
  - (c) a person must not upload to the service a video containing an audiovisual commercial communication for anything else unless that communication meets the requirements in section 368Z(4) and (5).
5. Provide functionality for a person uploading a video to the service to declare whether, as far as they know or can reasonably be expected to know, the video contains an audiovisual commercial communication, and include terms and conditions to the effect that a person uploading a video must use the functionality to make such a declaration.
6. Establish and operate—
  - (a) transparent and user-friendly mechanisms for viewers to report or flag harmful material which is available on the service to the person providing the service;
  - (b) systems through which the person providing the service explains to persons using the service what effect has been given to the reporting and flagging referred to in sub-paragraph (a);

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- (c) systems for obtaining assurance as to the age of potential viewers;
  - (d) easy to use systems allowing viewers to rate harmful material.
- 7. Provide for parental control systems in relation to restricted material.
- 8. In relation to the implementation of the measures set out in paragraphs 6 and 7, establish and operate a complaints procedure which must be transparent, easy to use and effective, and must not affect the ability of a person to bring a claim in civil proceedings.
- 9. Provide information and tools for individuals using the service with the aim of improving their media literacy, and raise awareness of the availability of such information and tools.]

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