



# Digital Economy Act 2017

## 2017 CHAPTER 30

### PART 6

#### MISCELLANEOUS

##### *Online social media platforms*

#### **103 Code of practice for providers of online social media platforms**

- (1) The Secretary of State must issue a code of practice giving guidance to persons who provide online social media platforms for use by persons in the United Kingdom (“social media providers”).
- (2) The guidance to be given is guidance about action it may be appropriate for providers to take against the use of the platforms they provide for conduct to which subsection (3) applies.
- (3) This subsection applies to conduct which—
  - (a) is engaged in by a person online,
  - (b) is directed at an individual, and
  - (c) involves bullying or insulting the individual, or other behaviour likely to intimidate or humiliate the individual.
- (4) But guidance under this section is not to affect how unlawful conduct is dealt with.
- (5) A code of practice under this section must (subject to subsection (4)) include guidance to social media providers about the following action—
  - (a) maintaining arrangements to enable individuals to notify providers of the use of their platforms for conduct to which subsection (3) applies;
  - (b) maintaining processes for dealing with notifications;
  - (c) including provision on matters within paragraphs (a) and (b) in terms and conditions for using platforms;
  - (d) giving information to the public about action providers take against the use of their platforms for conduct to which subsection (3) applies.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Before issuing a code of practice under this section, the Secretary of State must consult—
  - (a) those social media providers to whom the code is intended to give guidance, and
  - (b) such other persons as the Secretary of State considers it appropriate to consult.
- (7) The Secretary of State must publish any code of practice issued under this section.
- (8) A code of practice issued under this section may be revised from time to time by the Secretary of State, and references in this section to a code of practice include such a revised code.