



# Digital Economy Act 2017

## 2017 CHAPTER 30

### PART 3

#### ONLINE PORNOGRAPHY

#### **16 The age-verification regulator: designation and funding**

- (1) The Secretary of State may by notice designate any person, or any two or more persons jointly, as the age-verification regulator for the purposes of—
  - (a) all of the functions of the age-verification regulator under this Part, or
  - (b) any of those functions specified in the notice by which the designation is made.
- (2) Different persons may be designated for the purposes of different functions.
- (3) The Secretary of State may at any time by notice—
  - (a) revoke a designation under this section;
  - (b) designate one or more other persons in place of any person or persons designated under this section.
- (4) The Secretary of State's power to designate a person under this section includes a power to designate the holder for the time being of any office or employment specified in the notice by which the designation is made.
- (5) The Secretary of State must not make a designation under this section unless satisfied that—
  - (a) arrangements will be maintained by the age-verification regulator for appeals to which subsection (6) applies, and
  - (b) any person hearing an appeal under those arrangements will be sufficiently independent of the age-verification regulator.
- (6) This subsection applies to appeals—
  - (a) by a person on whom a financial penalty has been imposed under section 19(1) or (10), against the imposition of that penalty;

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*Status: This is the original version (as it was originally enacted).*

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- (b) by a person to whom an enforcement notice has been given under section 19(2), against the giving of that notice;
  - (c) by a person identified as the non-complying person in a notice given under section 21, against the giving of that notice;
  - (d) by an internet service provider to whom a notice has been given under section 23(1), against the giving of that notice;
  - (e) by a person identified as the non-complying person in a notice given to an internet service provider under section 23(1), against the giving of that notice.
- (7) A notice under subsection (1) or (3) must be published in the London, Edinburgh and Belfast Gazettes.
- (8) The Secretary of State may pay grants or make loans to the age-verification regulator to cover expenditure incurred in the carrying out of its functions.
- (9) Grants may be paid and loans made under subsection (8) subject to any conditions the Secretary of State thinks appropriate (including conditions as to repayment).