

SCHEDULES

SCHEDULE 11

CATEGORIES OF REGULATED USER-TO-USER SERVICES AND REGULATED SEARCH SERVICES: REGULATIONS

Regulations specifying threshold conditions for categories of Part 3 services

- 1 (1) The Secretary of State must make regulations specifying conditions (“Category 1 threshold conditions”) for the user-to-user part of regulated user-to-user services relating to each of the following—
 - (a) number of users of the user-to-user part of the service,
 - (b) functionalities of that part of the service, and
 - (c) any other characteristics of that part of the service or factors relating to that part of the service that the Secretary of State considers relevant.
- (2) The Secretary of State must make regulations specifying conditions (“Category 2A threshold conditions”) for the search engine of regulated search services and combined services relating to each of the following—
 - (a) number of users of the search engine, and
 - (b) any other characteristics of the search engine or factors relating to the search engine that the Secretary of State considers relevant.
- (3) The Secretary of State must make regulations specifying conditions (“Category 2B threshold conditions”) for the user-to-user part of regulated user-to-user services relating to each of the following—
 - (a) number of users of the user-to-user part of the service,
 - (b) functionalities of that part of the service, and
 - (c) any other characteristics of that part of the service or factors relating to that part of the service that the Secretary of State considers relevant.
- (4) Regulations under this paragraph must specify the way or ways in which the relevant threshold conditions may be met, and that may be by meeting the conditions in any specified combination, subject to the rule that—
 - (a) in relation to the Category 1 threshold conditions and the Category 2B threshold conditions, at least one specified condition about number of users or functionality must be met, and
 - (b) in relation to the Category 2A threshold conditions, at least one specified condition about number of users must be met.
- (5) In making regulations under sub-paragraph (1), the Secretary of State must take into account the likely impact of the number of users of the user-to-user part of the service, and its functionalities, on how easily, quickly and widely regulated user-generated content is disseminated by means of the service.
- (6) In making regulations under sub-paragraph (2), the Secretary of State must take into account the likely impact of the number of users of the search engine on the level

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of risk of harm to individuals from search content that is illegal content or search content that is harmful to children.

- (7) In making regulations under sub-paragraph (3), the Secretary of State must take into account the likely impact of the number of users of the user-to-user part of the service, and its functionalities, on the level of risk of harm to individuals from illegal content and content that is harmful to children disseminated by means of the service.
- (8) In this paragraph “specified” means specified in the regulations.

Commencement Information

II Sch. 11 para. 1 in force at Royal Assent, see [s. 240\(4\)\(p\)](#)

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