



Online Safety Act 2023

2023 CHAPTER 50

PART 2

KEY DEFINITIONS

4 “Regulated service”, “Part 3 service” etc

- (1) This section applies for the purposes of this Act.
- (2) A user-to-user service is a “regulated user-to-user service”, and a search service is a “regulated search service”, if the service—
 - (a) has links with the United Kingdom (see subsections (5) and (6)), and
 - (b) is not—
 - (i) a service of a description that is exempt as provided for by Schedule 1, or
 - (ii) a service of a kind described in Schedule 2 (services combining user-generated content or search content not regulated by this Act with pornographic content that is regulated).
- (3) “Part 3 service” means a regulated user-to-user service or a regulated search service.
- (4) “Regulated service” means—
 - (a) a regulated user-to-user service,
 - (b) a regulated search service, or
 - (c) an internet service, other than a regulated user-to-user service or a regulated search service, that is within section 80(2) (including a service of a kind described in Schedule 2).
- (5) For the purposes of subsection (2), a user-to-user service or a search service “has links with the United Kingdom” if—
 - (a) the service has a significant number of United Kingdom users, or
 - (b) United Kingdom users form one of the target markets for the service (or the only target market).

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, Section 4. (See end of Document for details)

- (6) For the purposes of subsection (2), a user-to-user service or a search service also “has links with the United Kingdom” if—
- (a) the service is capable of being used in the United Kingdom by individuals, and
 - (b) there are reasonable grounds to believe that there is a material risk of significant harm to individuals in the United Kingdom presented by—
 - (i) in the case of a user-to-user service, user-generated content present on the service or (if the service includes a search engine) search content of the service;
 - (ii) in the case of a search service, search content of the service.
- (7) A regulated user-to-user service that includes a public search engine is referred to in this Act as a “combined service”.
- “Public search engine” means a search engine other than one in relation to which the conditions in paragraph 7(2) of Schedule 1 (internal business service conditions) are met.
- (8) In this section—
- “search content” has the same meaning as in Part 3 (see section 57);
 - “user-generated content” has the meaning given by section 55 (see subsections (3) and (4) of that section).

Commencement Information

II S. 4 in force at Royal Assent, see s. 240(4)(a)

Changes to legislation:

There are currently no known outstanding effects for the Online Safety Act 2023, Section 4.