



# Online Safety Act 2023

## 2023 CHAPTER 50

### PART 5

#### DUTIES OF PROVIDERS OF REGULATED SERVICES: CERTAIN PORNOGRAPHIC CONTENT

#### **81 Duties about regulated provider pornographic content**

- (1) This section sets out the duties which apply in relation to internet services within section 80(2).
- (2) A duty to ensure, by the use of age verification or age estimation (or both), that children are not normally able to encounter content that is regulated provider pornographic content in relation to the service.
- (3) The age verification or age estimation must be of such a kind, and used in such a way, that it is highly effective at correctly determining whether or not a particular user is a child.
- (4) In relation to the duty set out in subsection (2), a duty to make and keep a written record, in an easily understandable form, of—
  - (a) the kinds of age verification or age estimation used, and how they are used, and
  - (b) the way in which the provider, when deciding on the kinds of age verification or age estimation and how they should be used, has had regard to the importance of protecting United Kingdom users from a breach of any statutory provision or rule of law concerning privacy that is relevant to the use or operation of a regulated service (including, but not limited to, any such provision or rule concerning the processing of personal data).
- (5) A duty to summarise the written record in a publicly available statement, so far as the record concerns compliance with the duty set out in subsection (2), including details about which kinds of age verification or age estimation a provider is using and how they are used.