STATUTORY INSTRUMENTS

2024 No. 571

ELECTRONIC COMMUNICATIONS

The Online Safety Act 2023 (Pre-existing Part 4B Services Assessment Start Day) Regulations 2024

Made - - - -	*24th April 2024*
Laid before Parliament	*30th April 2024*
Coming into force - -	*22nd May 2024*

The Secretary of State makes these Regulations in exercise of the power conferred by paragraph 8(1)(a) of Schedule 3 to the Online Safety Act 2023(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Online Safety Act 2023 (Pre-existing Part 4B Services Assessment Start Day) Regulations 2024.

(2) These Regulations come into force on 22nd May 2024.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Specified date for the purposes of the meaning of "assessment start day"

2. The date specified for the purposes of paragraph 8(1)(a) of Part 3 of Schedule 3 to the Online Safety Act 2023 (meaning of "assessment start day" in relation to a pre-existing Part 4B service(**b**)) is 2nd September 2024.

Saqib Bhatti
Parliamentary Under-Secretary of State
Department for Science, Innovation and Technology

24th April 2024

(**a**) 2023 c. 50.
(**b**) As defined in paragraph 7(1) of Part 3 of Schedule 3 to the Online Safety Act 2023.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify the date from which Video-Sharing Platforms (VSPs) known as "pre-existing Part 4B services" are subject to the requirement to complete assessments, in line with sections 9 (illegal content risk assessment duties), 11 (children's risk assessment duties) and 35 (children's access assessments or CAAs) of the Online Safety Act 2023 ("the 2023 Act").

UK-established VSPs are pre-existing Part 4B services if they meet the definition in paragraph 7 of Part 3 of Schedule 3 to the 2023 Act (pre-existing Part 4B services).

If the existing Part 4B service is a Category 1 service (see section 95 of the 2023 Act: register of categories of certain Part 3 services), it is also subject, under section 14 of that Act (assessment duties: user empowerment), to a duty to carry out an assessment for the purposes of section 15(2) (user empowerment duties) during the same period.

From the assessment start day, or the date that the Office of Communications (OFCOM) publishes the first illegal content assessment guidance (whichever is the latest), pre-existing Part 4B services have three months to complete the first illegal content risk assessment (see paragraph 12(2) of Schedule 3 to the 2023 Act).

If, on the assessment start day, no guidance has been published on CAAs or section 15(2) assessments, then pre-existing Part 4B services will have three months from the date that the relevant guidance is published to complete those assessments for which guidance has been published (see paragraphs 12(1), 12(3) and 14(2) of Schedule 3 to the 2023 Act).

If, on the assessment start day, guidance has been published on CAAs or section 15(2) assessments, then pre-existing Part 4B services will have three months from the assessment start day to complete those assessments for which guidance has been published (see paragraphs 13(b) and 14(1) of Schedule 3 to the 2023 Act).

A full impact assessment has not been published for this instrument, as it has no significant impact on business, charities or voluntary bodies or the public sector.

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