[GB] Government proposes powers to block websites which do not put into place age verification

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The UK Government has introduced amendments to the Digital Economy Bill which will enable the blocking of pornographic websites which do not put into place age verification measures to ensure that they are not accessed by persons under 18.

The Digital Economy Bill contains measures to require that pornographic sites include age verification measures. If these are not in place, pornographic content made available on a commercial basis will constitute “offending material”. The system will be supervised by the British Board of Film Classification, which is responsible for the age classification of films, videos and DVDs. In the original draft of the bill the sanction for making available offending material was the power to withdraw payment services such as Visa and PayPal from offending sites. There was also provision for fines of up to £250,000 or five percent of the operator’s qualifying financial turnover. The amendments introduced by the Government go further through giving the Board the additional power to request an internet service provider to take steps or make arrangements so as to prevent persons in the UK from being able to access the offending material. The power also includes steps or arrangements which will have the effect of preventing persons in the UK from being able to access “material other than the offending material” using the service provided by the internet service provider, which gives the Board a potentially wide power to restrict content. The duty will be enforceable by the Board through the courts. The Government has stated that the Board will have flexibility as to which sanction it chooses to use, but once action has been taken, it will prevent access to the whole pornography site.

This requirement to block access is stated to apply to all sites in the UK and overseas. Where websites originate in the EU the process will be compatible with country of origin rules.

Department for Culture, Media and Sport: New Blocking Powers to Protect Children Online, 20 November 2016

https://www.gov.uk/government/news/new-blocking-powers-to-protect-children-online

Digital Economy Bill

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https://services.parliament.uk/bills/2016-17/digitaleconomy.html

House of Commons, Notices of amendments given up to and including Wednesday 23 November 2016, Digital Economy Bill, as amended

http://www.publications.parliament.uk/pa/bills/cbill/2016-2017/0087/amend/digital_rm_rep_1123.1-7.html

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