

Social Media Platforms (Ofcom Licensing) Bill [HL]

[AS INTRODUCED]

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[AS INTRODUCED]

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Require social media companies operating in the United Kingdom to obtain a licence from Ofcom; to empower Ofcom to set and enforce binding conditions on licensed operators; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Licensing requirement

- (1) A person must not operate a social media platform that is available to users in the United Kingdom unless authorised by a licence under this Act (“a social media licence”).
- (2) A social media licence is to be issued by Ofcom. 5
- (3) A person commits an offence if they operate a social media platform available to users in the United Kingdom without a licence required by this Act.
- (4) A person guilty of an offence under subsection (3) is liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum; 10
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

2 Licensing application and renewal

- (1) An application for a social media licence must be made in writing to Ofcom.
- (2) In determining whether to grant a social media platform a social media licence, Ofcom must have regard to— 15
 - (a) the duties of licensees in accordance with section 4;
 - (b) compliance requirements in accordance with section 5;
 - (c) such other matters as Ofcom considers relevant.
- (3) A social media licence may be granted— 20
 - (a) subject to any condition Ofcom consider necessary;
 - (b) for a fixed period not exceeding ten years.

- (4) A social media licence may be renewed upon application in writing by the licensee.
- (5) In determining whether to renew a licence, Ofcom must have regard to—
 - (a) any breaches of licence conditions;
 - (b) any enforcement action previously taken against the licensee; 5
 - (c) such other matters as Ofcom considers relevant.
- (6) Where Ofcom is satisfied that no material breaches of licence conditions have occurred during the licence period, renewal may be granted on an expedited basis.
- (7) Where the licensee has breached conditions of the licence, Ofcom may— 10
 - (a) refuse renewal;
 - (b) renew the licence subject to additional conditions;
 - (c) require the implementation of specified remedial measures.

3 Meaning of social media platform

For the purposes of this Act, a "social media platform" means a platform which— 15

- (a) has the sole or significant purpose of enabling users to create, share, discover or consume user-generated content;
- (b) enables users to discover, interact with or follow the content or accounts of users other than those with whom they communicate privately. 20

4 Duties of licensees

Licensees must take all reasonable and proportionate steps to ensure—

- (a) that content made available on its social media platform complies with the laws of the United Kingdom; 25
- (b) that content made available on its social media platform is not materially harmful to users or to the public interest;
- (c) that content made available on its social media platform does not incite criminal conduct, violence, hatred or public disorder;
- (d) that systems are in place to minimise the dissemination of materially false or misleading information; 30
- (e) that users are provided with transparent information concerning the identity and authenticity of persons publishing content on its social media platform;
- (f) that harmful content identified by Ofcom is removed, restricted or otherwise addressed within such period as Ofcom may specify. 35

5 Additional compliance requirements

- (1) The licensee must establish and maintain adequate arrangements to ensure compliance with this Act and any licence conditions.
- (2) The licensee must ensure that— 40

- (a) sufficient personnel are employed who possess appropriate knowledge of this Act, the licence conditions and any relevant Ofcom codes or guidance;
- (b) procedures exist for the implementation of directions issued by Ofcom;
- (c) effective systems are maintained for the removal or restriction of content identified by Ofcom as harmful; 5
- (d) records are maintained demonstrating compliance with licence conditions;
- (e) Ofcom is supplied with details of compliance procedures and any revisions upon request. 10

6 Enforcement

- (1) Where Ofcom determines that a licensee has breached this Act, or any licence condition, it may—
 - (a) issue a warning notice;
 - (b) require specific remedial action; 15
 - (c) suspend the social media licence;
 - (d) revoke the social media licence.
- (2) Where a social media licence is revoked, Ofcom may apply to the court for—
 - (a) an order requiring internet service providers to block access to the service within the United Kingdom, and 20
 - (b) such other enforcement measures as the court considers appropriate.

7 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force at the end of the period of six months beginning with the day on which it is passed. 25
- (3) This Act may be cited as the Social Media Platforms (Ofcom Licensing) Act 2026.

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Baroness Benjamin

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