

Your response

Question	Your response
<p>Question 1: Do you have any comments on proposed guidance around subsection 1 of section 368S of the Act – whether the provision of videos to members of the public is the principal purpose of the service or a dissociable section of the service, or an essential functionality of the service?</p>	<p>Confidential? – Y/ N</p> <p>We found the guidance clear and were able to apply it practically to the OnlyFans platform.</p>
<p>Question 2: Do you have any comments on proposed guidance around subsections 2(a)-(c) of section 368S of the Act – provision via an electronic communications network; provision on a commercial basis; and the level of control providers have over videos?</p>	<p>Confidential? – Y/ N</p> <p>We found the guidance clear and were able to apply it practically to the OnlyFans platform. The explanation regarding the difference between a VSP and an ODPS was particularly helpful.</p>
<p>Question 3: Do you have any comments on proposed guidance around assessing whether a service is within jurisdiction of the UK?</p>	<p>Confidential? – Y/ N</p> <p>We found this section of the guidance clear and were able to apply it to the OnlyFans platform.</p> <p>We recognise that whilst it is clear for OnlyFans that they are within the UK jurisdiction, it is not inconceivable that in other situations it may not be as clear cut. We appreciate, however, that it is not possible to provide a definitive list but the relevant factors included in paragraph 4.6 are helpful in respect of this.</p>
<p>Question 4: Do you have any comments on proposed guidance around notification of a service, including the detail provided in Annex 2?</p>	<p>Confidential? – Y/ N</p> <p>We found the guidance clear. We would query the relevance or need for the provision of information required at paragraph A2.2(h) of Annex 2.</p>

Question 5: Do you have any comments on any other part of the guidance which is not explicitly set out in questions 1-4?

Confidential? – Y/ N

It is extremely useful that the documents contain hyperlinks and we would be willing to re-engage if there are any revisions to this guidance.