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Make it a requirement for the providers of goods and services and the providers of specified facilities enabling the purchase of such goods and services to take reasonable steps, in certain circumstances, to establish the age of customers making such purchases remotely; and for connected purposes.

BE IT ENACTED by the Queen’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 Provision of age-restricted goods and services

- (1) A company, organisation or individual which is engaged in the sale or provision by means of any electronic communications networks of such age-restricted goods and services as shall be prescribed by regulations made by the Secretary of State shall take all reasonable steps to determine that the person purchasing or otherwise obtaining access to such goods and services meets the specifications of the relevant age restriction. 5
- (2) In prescribing the list of goods and services which are the subject of this Act the Secretary of State shall have regard to, but shall not be limited to, any goods and services for which an age restriction is prescribed by law and any age restrictions which are prescribed by any statutory body. 10
- (3) The Secretary of State shall publish, at least once in each calendar year, advice or guidance on how companies, organizations or individuals might discharge their obligations under subsection (1).
- (4) In this section “electronic communications networks” has the meaning given by section 32 of the Communications Act 2003 (c. 21) (meaning of electronic communications networks and services). 15

2 Penalties

Any company, organization or individual which fails to comply with the provisions of section 1 commits an offence and shall be liable on summary conviction to a fine not exceeding the statutory maximum. 20

3 Regulations and orders

- (1) Any power of the Secretary of State under this Act to make regulations or an order is exercisable by statutory instrument.
- (2) Any regulations made under this Act shall be laid before Parliament after being made and shall be subject to annulment in pursuance of a resolution of either House of Parliament. 5

4 Short title, commencement and extent

- (1) This Act may be cited as the Online Purchasing of Goods and Services (Age Verification) Act 2009.
- (2) This Act shall come into force on such day as the Secretary of State may by order appoint. 10
- (3) This Act extends to Northern Ireland.

Online Purchasing of Goods and Services (Age Verification) Bill [HL]

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Baroness Massey of Darwen

Ordered to be Printed, 14th January 2009

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Printed in the United Kingdom by
The Stationery Office Limited
£x.xx