

Digital Regulation Cooperation Forum

Overview

The CMA, the ICO and Ofcom have together formed a Digital Regulation Cooperation Forum (DRCF) to support regulatory coordination in online services, and cooperation on areas of mutual importance. The three organisations already have strong working relationships and cooperate regularly on a wide number of areas within their respective remits, both bilaterally and through existing networks, such as the UKRN. However, the organisations believe that the unique challenges posed by the regulation of online platforms require an even greater level of regulatory cooperation. Through this Forum the organisations aim to achieve coherent, informed and responsive regulation of the UK digital economy which serves citizens and consumers and enhances the global impact and position of the UK.

The CMA, the ICO and Ofcom currently hold different regulatory responsibilities for online services. Together, these responsibilities span addressing competition concerns (CMA and Ofcom), protecting consumers (CMA, Ofcom and ICO), upholding information rights (ICO), and responsibilities regarding news and media plurality and regulation of some types of online content (Ofcom).

The government is considering increasing the scope of regulations that apply to online services. The Online Harms White Paper sets out proposals for a new regulatory framework that will make clear companies' responsibilities to keep UK users, particularly children, safer online. The government has announced that it is minded to appoint Ofcom as the regulator of the forthcoming online harms regime, and Ofcom is also preparing to take on new duties for the regulation of UK-based video sharing platforms (VSPs). The ICO's Age Appropriate Design Code which sets standards that relevant online services should meet to protect children from a range of harms arising from the processing of their personal data, has been laid in Parliament for approval. Meanwhile, in March this year, the government asked the CMA to lead a Digital Markets Taskforce to provide it with advice on the potential design and implementation of pro-competitive measures for unlocking competition in digital platform markets. The Digital Taskforce includes colleagues from the ICO and Ofcom and whilst separate, the DRCF will work closely with the Taskforce. It is therefore important that the regulatory approaches of the CMA, the ICO and Ofcom regarding online services remain coherent.

DRCF aims and objectives

The DRCF aims to support cooperation and coordination between the CMA, the ICO and Ofcom on online regulatory matters, and enable coherent, informed and responsive regulation of the UK digital economy which serves citizens and consumers and enhances the global impact and position of the UK.

The DRCF has the following six objectives:

Objective 1: Collaborate to advance a coherent regulatory approach by facilitating open dialogue and joint working to ensure that regulation and other enforcement tools applied to the digital landscape are developed and implemented in a coherent way, and produce effective and efficient outcomes that maximise benefits for consumers across policy areas.

Objective 2: Inform regulatory policy making by using the collective expertise of the Forum to explore emerging policy challenges in the digital space and develop solutions to inform regulatory approaches.

Objective 3: Enhance regulatory capabilities by pooling knowledge and resources to ensure that all members have the skills, expertise and tools needed to carry out their functions effectively in digital markets.

Objective 4: Anticipate future developments by developing a shared understanding of emerging digital trends, to enhance regulator effectiveness and inform strategy.

Objective 5: Promote innovation by sharing knowledge and experience, including regarding innovation in the approaches of regulators.

Objective 6: Strengthen international engagement with regulatory bodies to exchange information and share best practice regarding approaches to the regulation of digital markets.

Background

The DRCF is a non-statutory body. It is not a decision-making body and does not provide formal advice or direction to members. It is comprised of three UK regulatory bodies:

- The Competition and Markets Authority (UK) (**CMA**);
- The Office of Communications (**Ofcom**); and
- The Information Commissioner's Office (**ICO**).

In addition to the core members of the DRCF, it is anticipated that cooperation with other networks and regulators is likely to be appropriate. The DRCF will engage regularly with Government and will invite a relevant DCMS Director General to participate in meetings on a periodic basis.