

## Proposals for amendments to the Digital Services Act<sup>1</sup>

### Amendment 1

#### Article 15

#### Paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>Statement of reasons</i>	<i>Statement of reasons</i>
<p>1. Where a provider of hosting services decides to remove or disable access to specific items of information provided by the recipients of the service, irrespective of the means used for detecting, identifying or removing or disabling access to that information and of the reason for its decision, it shall inform the recipient, at the latest at the time of the removal or disabling of access, of the decision and provide a clear and specific statement of reasons for that decision.</p>	<p>1. Where a provider of hosting services <del>decides to remove or disable access to specific items of information provided by the recipients of the service</del> <b>engages in any content moderation</b>, irrespective of the means used for detecting, identifying or removing or disabling access to <del>that information</del> <b>or otherwise addressing the information provided by the recipients of the service</b> and of the reason for its decision, it shall inform the recipient, at the latest at the time of the removal or disabling of access, of the decision and provide a clear and specific statement of reasons for that decision.</p>

### Amendment 2<sup>2</sup>

#### Article 15a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<b>Online interface design and oversight</b>

<sup>1</sup> Amendments prepared by Karolina Iwańska, Katarzyna Szymielewicz, and Dorota Głowacka.

<sup>2</sup> Amendment prepared in cooperation with EDRI – European Digital Rights, BEUC – The European Consumer Organisation, and Bits of Freedom.

**1. Providers of hosting services shall not subvert or impair the autonomy, decision-making, or choice of the recipients of the service through the structure, function or manner of operation of their online interface or a part thereof.**

***In particular, providers of hosting services shall refrain from:***

***(a) giving more visual prominence to any of the options when asking the recipient of the service for a decision that might have detrimental effects for the recipient;***

***(b) repeatedly requesting that a recipient of the service consents to data processing, regardless of the scope of purpose of such processing, especially by presenting a pop-up that interferes with user experience;***

***(c) urging a recipient of the service to change any setting or configuration of the service after the person in question has already made her choice, including by the use of a standard protocol in accordance with paragraph 4);***

***(d) making the procedure of cancelling a service more cumbersome than signing up to it;***

***(e) requiring a recipient of the service to consent to the collection or processing of personal data concerning the recipient that is not strictly technically necessary for the functioning of the service.***

**2. A choice or decision made by the recipient of the service using an online interface that does not comply with the requirements of paragraph 1 shall not constitute consent in the sense of Regulation (EU) 2016/679.**

**3. Providers of hosting services shall design and organise their online interfaces in a way that enables them and traders to comply**

*with their obligations under applicable Union and Member State law on data protection and consumer protection, including on product safety.*

*4. Providers of hosting services shall respect the communication of choices made by the recipients of the service, including consent or withdrawal of consent to the processing of personal data, through automated means, in particular through the settings of software placed on the market permitting electronic communications, including the retrieval and presentation of information on the internet.*

*The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions for automated means referred to above.*

*5. The Board, in cooperation with the Commission, shall publish guidelines to indicate specific design patterns that qualify as subverting or impairing the autonomy, decision making, or choice of the recipients of the service. The Board shall keep this list updated in the light of technological developments and, in the case of very large online platforms, assessments related to systemic risks identified in accordance with Article 27(2).*

*6. The Commission may adopt implementing acts to prescribe the design and functions of online interfaces that facilitate expression of consent in the sense of Regulation (EU) 2016/679 or other choices that may be expressed by the recipients of the service.*

*Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 70. Before the adoption of any measures pursuant to this paragraph, the Commission shall publish a draft thereof and invite all interested parties to submit their comments within the time period set out therein, which shall not be less than one month.*

**Amendment 3**

**Article 17**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>Internal complaint-handling system</i></p> <p>1. Online platforms shall provide recipients of the service, for a period of at least six months following the decision referred to in this paragraph, the access to an effective internal complaint-handling system, which enables the complaints to be lodged electronically and free of charge, against the following decisions taken by the online platform on the ground that the information provided by the recipients is illegal content or incompatible with its terms and conditions:</p> <p>(a) decisions to remove or disable access to the information;</p> <p>(b) decisions to suspend or terminate the provision of the service, in whole or in part, to the recipients;</p> <p>(c) decisions to suspend or terminate the recipients' account.</p>	<p><i>Internal complaint-handling system</i></p> <p>1. Online platforms shall provide recipients of the service, for a period of at least six months following the decision referred to in this paragraph, the access to an effective internal complaint-handling system, which enables the complaints to be lodged electronically and free of charge, against the following decisions taken by the online platform on the ground that the information provided by the recipients is illegal content or incompatible with its terms and conditions:</p> <p>(a) decisions to remove or disable access to the information;</p> <p>(b) decisions to suspend or terminate the provision of the service, in whole or in part, to the recipients;</p> <p>(c) decisions to suspend or terminate the recipients' account;</p> <p><b><i>d) any other decisions that affect the availability, visibility or accessibility of that content or the account of the recipient of the service, or access to significant features of the platform's regular services.</i></b></p>

**Amendment 4**

**Article 18**

**Paragraph 7 (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b><i>7. Member States shall establish a mechanism enabling the recipients of the service to contest decisions of out-of-court dispute settlement bodies before a national judicial authority relevant for resolving disputes related to freedom of expression.</i></b></p>

**Amendment 5**

**Article 23a (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p style="text-align: center;"><b>Online advertising and recommender systems</b></p> <p><b>1. Online platforms that display advertising to the recipients of the service or use recommender systems shall not use inferred data resulting from the profiling of the recipients or any personal data collected about them in services provided by third parties. Online platforms may use personal data explicitly provided or declared by the recipients, provided that they have been granted consent within the meaning of Article 4 (11) of Regulation (EU) 2016/679. Online platforms shall ensure that the option that does not require the use of personal data is activated by default.</b></p> <p><b>2. Online platforms shall, where applicable, provide an easily available functionality on their online interface allowing the recipients of the service, at any time, to:</b></p> <p><b>(a) declare, modify and delete their personal data referred to in paragraph 1;</b></p> <p><b>(b) modify and delete any categories used by the platform to categorise the content of advertisements or recommendations.</b></p> <p><b>Article 15a (4) applies accordingly to the communication of consent referred to in paragraph 1 and choices made by the recipient of the service mentioned above.</b></p> <p><b>3. Online platforms that use recommender systems and systems for selecting and displaying advertisements, shall set out in an easily accessible place in their online interface, such as in their terms and conditions, in a clear, accessible and easily comprehensible manner, relevant information on the functioning of these systems, in particular their parameters.</b></p>

	<p><b>4. The parameters referred to in paragraph 3 shall include, at a minimum:</b></p> <p><b>(a) the criteria used by relevant systems,</b></p> <p><b>(b) the indication of the importance that specific criteria have for outputs produced by relevant systems,</b></p> <p><b>(c) the optimisation goals of relevant systems,</b></p> <p><b>(d) if applicable, a list of categories of personal data taken into account by relevant systems, sources of this data, and an explanation of the role that the behaviour of the recipients of the service plays in how relevant systems produce their outputs,</b></p> <p><b>(e) in the case of very large online platforms, the summary of risk assessments referred to in Article 26 and the description of mitigation measures referred to in Article 27.</b></p>
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**Amendment 6**

**Article 24**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>Online advertising transparency</i></p> <p>Online platforms that display advertising on their online interfaces shall ensure that the recipients of the service can identify, for each specific advertisement displayed to each individual recipient, in a clear and unambiguous manner and in real time:</p> <p>(a) that the information displayed is an advertisement;</p> <p>(b) the natural or legal person on whose behalf the advertisement is displayed;</p> <p>(c) meaningful information about the main parameters used to determine the recipient to whom the advertisement is displayed.</p>	<p><i>Online advertising transparency</i></p> <p>1. Online platforms that display advertising on their online interfaces shall ensure that the recipients of the service can identify, for each specific advertisement displayed to each individual recipient, in a clear and unambiguous manner and in real time:</p> <p>(a) that the information displayed is an advertisement;</p> <p>(b) the natural or legal person on whose behalf the advertisement is displayed;</p> <p>(c) <b>if an advertisement is targeted specifically to them,</b> meaningful information about the <del>main</del> parameters used to determine the</p>

	<p>recipient to whom the advertisement is displayed, <b><i>including, where applicable, the targeting criteria and the optimisation goal selected by the advertiser and personal data of the recipient taken into account pursuant to Article 23a;</i></b></p> <p><b><i>(d) if the online platform uses automated systems to determine the recipients of the service to whom the advertisement should be displayed, meaningful information about the reasons why a given advertisement has been deemed relevant for a specific recipient of the service.</i></b></p>
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**Amendment 7**

**Article 24**

**Paragraph 2 (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b><i>2. Very large online platforms that suggest content to which the recipients of the service have not explicitly subscribed shall ensure that the recipients of the service can identify, for each specific suggestion, in a clear and unambiguous manner and in real time, meaningful information about the criteria used to suggest this content to the recipient, including, where applicable, personal data of the recipient taken into account pursuant to Article 23a.</i></b></p>

**Amendment 8**

**Article 26**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>Risk assessment</i></p> <p>1. Very large online platforms shall identify, analyse and assess, from the date of</p>	<p><i>Risk assessment</i></p> <p>1. Very large online platforms shall identify, analyse and assess, from the date of</p>

<p>application referred to in the second subparagraph of Article 25(4), at least once a year thereafter, any significant systemic risks stemming from the functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:</p> <p>(a) the dissemination of illegal content through their services;</p> <p>(b) any negative effects for the exercise of the fundamental rights to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;</p> <p>(c) intentional manipulation of their service, including by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security.</p>	<p>application referred to in the second subparagraph of Article 25(4), <b><i>at least once a year thereafter on an ongoing basis, at least once a year, the probability and severity of any <del>significant</del> systemic risks stemming from the <del>design</del>, functioning and use made of their services in the Union. This risk assessment shall be specific to their services and shall include the following systemic risks:</i></b></p> <p>(a) the dissemination of illegal content through their services;</p> <p>(b) any negative effects for the exercise of <b><i>the any of the</i></b> fundamental rights <b><i>listed in the Charter, in particular the fundamental rights</i></b> to respect for private and family life, freedom of expression and information, the prohibition of discrimination and the rights of the child, as enshrined in Articles 7, 11, 21 and 24 of the Charter respectively;</p> <p>(c) intentional manipulation of their service, including by means of inauthentic use or automated exploitation of the service, with an actual or foreseeable negative effect on the protection of public health, minors, civic discourse, or actual or foreseeable effects related to electoral processes and public security;</p> <p><b><i>d) any negative societal effects, in particular related to the polarisation of opinions and insufficient exposure to diverse sources of information.</i></b></p>
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## Amendment 9

### Article 27

#### Paragraph 1a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b><i>1a. Where a very large online platform decides not to put in place any of the mitigating measures listed in paragraph 1, it shall provide a written explanation that describes the reasons why those measures</i></b></p>



	<i>were not put in place. This written explanation shall be provided to the independent auditors in order to prepare the audit report referred to in article 28 paragraph 3.</i>
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**Amendment 10**

**Article 28**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>Independent audit</i></p> <p>1. Very large online platforms shall be subject, at their own expense and at least once a year, to audits to assess compliance with the following:</p> <p>(a) the obligations set out in Chapter III;</p> <p>(b) any commitments undertaken pursuant to the codes of conduct referred to in Articles 35 and 36 and the crisis protocols referred to in Article 37.</p>	<p><i>Independent audit</i></p> <p>1. Very large online platforms shall be subject, at their own expense and at least once a year, to <b><i>independent</i></b> audits to assess compliance with the following:</p> <p>(a) the obligations set out in Chapter III, <b><i>in particular the quality of the identification, analysis and assessment of the risks referred to in Article 26, the necessity, proportionality and effectiveness of the risk mitigation measures referred to in Article 27, and the quality and effectiveness of the functionalities made available to the recipients of the service pursuant to Article 28a and Article 29(1);</i></b></p> <p>(b) any commitments undertaken pursuant to the codes of conduct referred to in Articles 35 and 36 and the crisis protocols referred to in Article 37.</p>

**Amendment 11**

**Article 28**

**Paragraph 3**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>3. The organisations that perform the audits shall establish an audit report for each audit.</p>	<p>3. The organisations that perform the audits shall establish an audit report for each audit.</p>

<p>The report shall be in writing and include at least the following:</p> <p>(a) the name, address and the point of contact of the very large online platform subject to the audit and the period covered;</p> <p>(b) the name and address of the organisation performing the audit;</p> <p>(c) a description of the specific elements audited, and the methodology applied;</p> <p>(d) a description of the main findings drawn from the audit;</p> <p>(e) an audit opinion on whether the very large online platform subject to the audit complied with the obligations and with the commitments referred to in paragraph 1, either positive, positive with comments or negative;</p> <p>(f) where the audit opinion is not positive, operational recommendations on specific measures to achieve compliance.</p>	<p>The report shall be in writing and include at least the following:</p> <p>(a) the name, address and the point of contact of the very large online platform subject to the audit and the period covered;</p> <p>(b) the name and address of the organisation performing the audit;</p> <p>(c) a description of the specific elements audited, and the methodology applied;</p> <p>(d) a description of the main findings drawn from the audit;</p> <p>(e) an audit opinion on whether the very large online platform subject to the audit complied with the obligations and with the commitments referred to in paragraph 1, either positive, positive with comments or negative;</p> <p>(f) where the audit opinion is not positive, operational recommendations on specific measures to achieve compliance.;</p> <p><b><i>(g) where the audit opinion could not reach a conclusion for specific elements within the scope of the audit, a statement of reasons for the failure to reach such a conclusive opinion.</i></b></p>
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## Amendment 12

### Article 28a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b><i>Additional requirements related to online advertising and suggested content</i></b></p> <p><b><i>1. Very large online platforms that display advertisements or suggest content to which the recipient of the service has not explicitly subscribed, shall provide the option for the recipients to report their concerns relating to the displayed advertisement or suggested content. This option shall be accessible for each advertisement and suggested content and shall not preclude the recipient of the</i></b></p>

	<p><i>service from explaining the nature of their concern in their own words.</i></p> <p><i>2. Very large online platforms shall include meaningful information about the scale of reports and the types of reported concerns in their reports referred to in Article 13. Very large online platforms shall take the reports into account when conducting risk assessments pursuant to Article 26 as well as when putting in place mitigation measures referred to in Article 27.</i></p> <p><i>3. Very large online platforms that use algorithms to deliver advertising or suggest content to which the recipients of the service have not explicitly subscribed, shall maintain in their databases, for the period of 5 years, records of algorithmic processing indicating the basis for displaying specific advertisements and suggestions of content to the recipients of the service. These records shall be made available, upon request, to organisations performing audits referred to in Article 28, as well as to relevant Digital Services Coordinators and vetted researchers pursuant to Article 31, and the Commission performing the assessment of the algorithm pursuant to Article 33a.</i></p>
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**Amendment 13**

**Article 29**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>Recommender systems</p> <p>1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence</p>	<p><b><i>Additional requirements for</i></b> recommender systems</p> <p>1. Very large online platforms that use recommender systems shall <del>set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any</del></p>

<p>those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.</p>	<p><del>options for provide</del> the recipients of the service <b>with the options</b> to modify or influence <del>those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.</del> the optimisation goals and rank or select recommendation criteria of relevant systems, made available pursuant to Article 23a (4).</p>
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**Amendment 14**

**Article 29**

**Paragraph 2**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>2. Where several options are available pursuant to paragraph 1, very large online platforms shall provide an easily accessible functionality on their online interface allowing the recipient of the service to select and to modify at any time their preferred option for each of the recommender systems that determines the relative order of information presented to them.</p>	<p><b>deleted</b></p>

**Amendment 15**

**Article 29**

**Paragraph 2a (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b>2a. Very large online platforms shall offer users the choice of recommender systems from third party providers where available. Such third parties must be offered access to the same operating system, hardware or software features that are available or used in the provision by the very large online platform of its own recommender systems.</b></p>

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**Amendment 16**

**Article 29**

**Paragraph 3 (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><b>3. The Commission shall, after consulting the Board, adopt delegated acts laying down the requirements for third party providers referred to in paragraph 2 to ensure an adequate standard of data protection, data security as well as diversity and quality of recommended information in the provision of third party services.</b></p>

**Amendment 17**

**Article 30**

**Paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>Additional online advertising transparency</i></p> <p>1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.</p>	<p><i>Additional online advertising transparency</i></p> <p>1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available, <b>including</b> through application programming interfaces a repository containing the information referred to in paragraph 2, until <del>one year</del> <b>three years</b> after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.</p>

**Amendment 18**

**Article 30**

**Paragraph 2**

<i>Text proposed by the Commission</i>	<i>Amendment</i>

<p>2. The repository shall include at least all of the following information:</p> <p>(a) the content of the advertisement;</p> <p>(b) the natural or legal person on whose behalf the advertisement is displayed;</p> <p>(c) the period during which the advertisement was displayed;</p> <p>(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, the main parameters used for that purpose;</p> <p>(e) the total number of recipients of the service reached and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.</p>	<p>2. The repository shall include at least all of the following information:</p> <p>(a) the content of the advertisement;</p> <p>(b) the natural or legal person on whose behalf the advertisement is displayed;</p> <p>(c) the period during which the advertisement was displayed;</p> <p>(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, <del>the main</del> <b>all</b> parameters used for that purpose;</p> <p>(e) the total number of recipients of the service reached and, where applicable, <b>aggregate numbers indicating the size of the group or groups that were intended to be targeted by the advertiser, as well as</b> aggregate numbers for the <b>specific</b> group or groups of recipients <del>to whom the advertisement was targeted specifically</del> <b>eventually reached with the advertisement;</b></p> <p><b>(f) where applicable, aggregate numbers of different types of interactions with the advertisement, such as the number of comments or reactions.</b></p>
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**Amendment 19**

**Article 31**

**Paragraph 2**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>2. Upon a reasoned request from the Digital Services Coordinator of establishment or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole</p>	<p>2. Upon a reasoned request from the Digital Services Coordinator of establishment, <b>three Digital Services Coordinators of destination</b>, or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the</p>

purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1).	requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification, <del>and</del> understanding <b>and mitigation</b> of systemic risks as set out in Article 26(1) <b>and Article 27</b> .
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## Amendment 20

### Article 31

#### Paragraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.	4. In order to be vetted, researchers shall be affiliated with academic institutions, <b>civil society organisations or media organisations</b> , be independent from commercial interests, <b>disclose the funding for the research</b> , have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

## Amendment 21

### Article 31

#### Paragraph 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because one of following two reasons:  (a) it does not have access to the data;  (b) giving access to the data will lead to significant vulnerabilities for the security of its	6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because <del>one of following two reasons:</del>  <del>(a)</del> it does not have <b>and cannot obtain with reasonable effort</b> access to the data.  <del>(b) giving access to the data will lead to significant vulnerabilities for the security of</del>

service or the protection of confidential information, in particular trade secrets.	<del><i>its service or the protection of confidential information, in particular trade secrets.</i></del>
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**Amendment 22**

**Article 31**

**Paragraph 8 (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<b><i>8. Upon completion of the research envisaged in paragraph 2, the vetted researchers shall make their research publicly available, taking into account the rights and interests of the recipients of the service concerned in compliance with Regulation (EU) 2019/679.</i></b>

**Amendment 23**

**Article 33a (new)**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p style="text-align: center;"><b><i>Algorithmic accountability</i></b></p> <p><b><i>1. Very large online platforms that deploy algorithms in content moderation systems, recommender systems and systems for selecting and displaying advertisements shall provide the Commission with the necessary information to perform an assessment of the algorithms used.</i></b></p> <p><b><i>2. When carrying out the assessment referred into paragraph 1, the Commission shall assess the following elements:</i></b></p> <p><b><i>(a) the compliance with corresponding Union requirements;</i></b></p> <p><b><i>(b) how the algorithm is used by the very large online platform and its impact on the provision of the service;</i></b></p> <p><b><i>c) the impact on fundamental rights, including on consumer rights, as well as the social effect of the algorithms; and</i></b></p>



*d) whether the measures implemented by the very large online platform to ensure the resilience of the algorithm are appropriate with regard to the importance of the algorithm for the provision of the service and its impact on elements referred to in point (c).*

*3. When performing their assessment, the Commission may seek advice from relevant national public authorities, researchers and non-governmental organisations.*

*4. Following the assessment, referred to in paragraph 2, the Commission shall communicate its findings to the very large online platforms and allow them to provide additional explanation on the conclusion of the findings within a period of two weeks.*

*5. The Commission shall make the results of the assessments publicly available, including explanations provided by very large online platforms.*

*6. Where the Commission finds that the algorithm used by the very large online platform does not comply with point (a), (c), or (d) of paragraph 2 of this Article, the Commission shall take appropriate measures laid down in this Regulation to stop the infringement, in particular in regard to changes in the design of the algorithm. including the use of specific types of input data and the use of specific criteria or weights attributed to them.*