

## DSA.129 OP Internal complaint handling system

Authors: Winfried Veil

Last update: 2023-06-06 18:57:23 | By: Winfried Veil

Created at: 2022-07-25 13:11:06

### Art. 20 DSA

#### Internal complaint-handling system

1. Providers of online platforms shall provide recipients of the service, including individuals or entities that have submitted a notice, 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 decision taken by the provider of the online platform upon the receipt of a notice or against the following decisions taken by the provider of the online platform on the ground that the information provided by the recipients is illegal content or incompatible with its terms and conditions:

(a) decisions whether or not to remove or disable access to or restrict visibility of the information;

(b) decisions whether or not to suspend or terminate the provision of the service, in whole or in part, to the recipients;

(c) decisions whether or not to suspend or terminate the recipients' account.;

(d) decisions whether or not to suspend, terminate or otherwise restrict the ability to monetise content provided by the recipients.

2. The period of at least six months as set out in paragraph 1 of this Article shall start on the day on which the recipient of the service is informed about the decision in accordance with Article 16(5) or Article 17.

3. Providers of online platforms shall ensure that their internal complaint-handling systems are easy to

access, user-friendly and enable and facilitate the submission of sufficiently precise and adequately substantiated complaints.

4. Providers of online platforms shall handle complaints submitted through their internal complaint-handling system in a timely, non-discriminatory, diligent and objective non-arbitrary manner. Where a complaint contains sufficient grounds for the provider of the online platform to consider that its decision not to act upon the notice is unfounded or that the information to which the complaint relates is not illegal and is not incompatible with its terms and conditions, or contains information indicating that the complainant's conduct does not warrant the suspension or termination of the service or the account measure taken, it shall reverse its decision referred to in paragraph 1 without undue delay.

5. Providers of online platforms shall inform complainants without undue delay of the decision they have their reasoned decision taken in respect of the information to which the complaint relates and shall inform complainants of the possibility of out-of-court dispute settlement provided for in Article 21 and other available redress possibilities.

5. Providers of online platforms shall ensure that the decisions, referred to in paragraph 4, are taken under the control of appropriately qualified staff, not solely taken on the basis of automated means.