Law | Digital Services Act

DSA.304 COrder against illegal content

Authors: Winfried Veil

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Art. 9 (2) DSA

2. Member States shall ensure that the orders referred to in paragraph 1 meet at least the following **conditions**, when they are transmitted to the provider:

(a) the order contains the following elements:

> (i) a reference to the **legal basis** under Union or national law for the order;
>
> (ii) a **statement of reasons** explaining why the information is illegal content, by reference to one or more specific provisions of Union or national law infringedin compliance with Union law;
>
> (iii) identification of the issuing **authority**;
>
> (iv) clear information enabling the provider of intermediary services to identify and **locate the illegal content** concerned, such as one or more exact uniform resource locators (URL) and, where necessary, additional information;
>
> (v) information about **redress mechanisms** available to the provider of the service and to the recipient of the service who provided the content;
>
> (vi) where applicable, information about which **authority** should receive the information about the effect given to the orders.

(b) the **territorial scope** of the order, on the basis of the applicable rules of Union and national law, including the Charter, and, where relevant, general principles of international law, is limited to what is strictly necessary to achieve its objective;

(c) the order is transmitted in one of the **languages** declared by the provider pursuant to Article 11(3) or in another official language of the Union, bilaterally agreed by the authority issuing the order and the provider, and is sent to the **electronic point of contact**, designated by that provider, in accordance with Article 11. Where the order is not drafted in the language declared by the provider or in another language bilaterally agreed, the order may be transmitted in the language of the authority issuing the order, provided that it is accompanied by a translation of at least the elements set out in points (a) and (b) of

this paragraph.