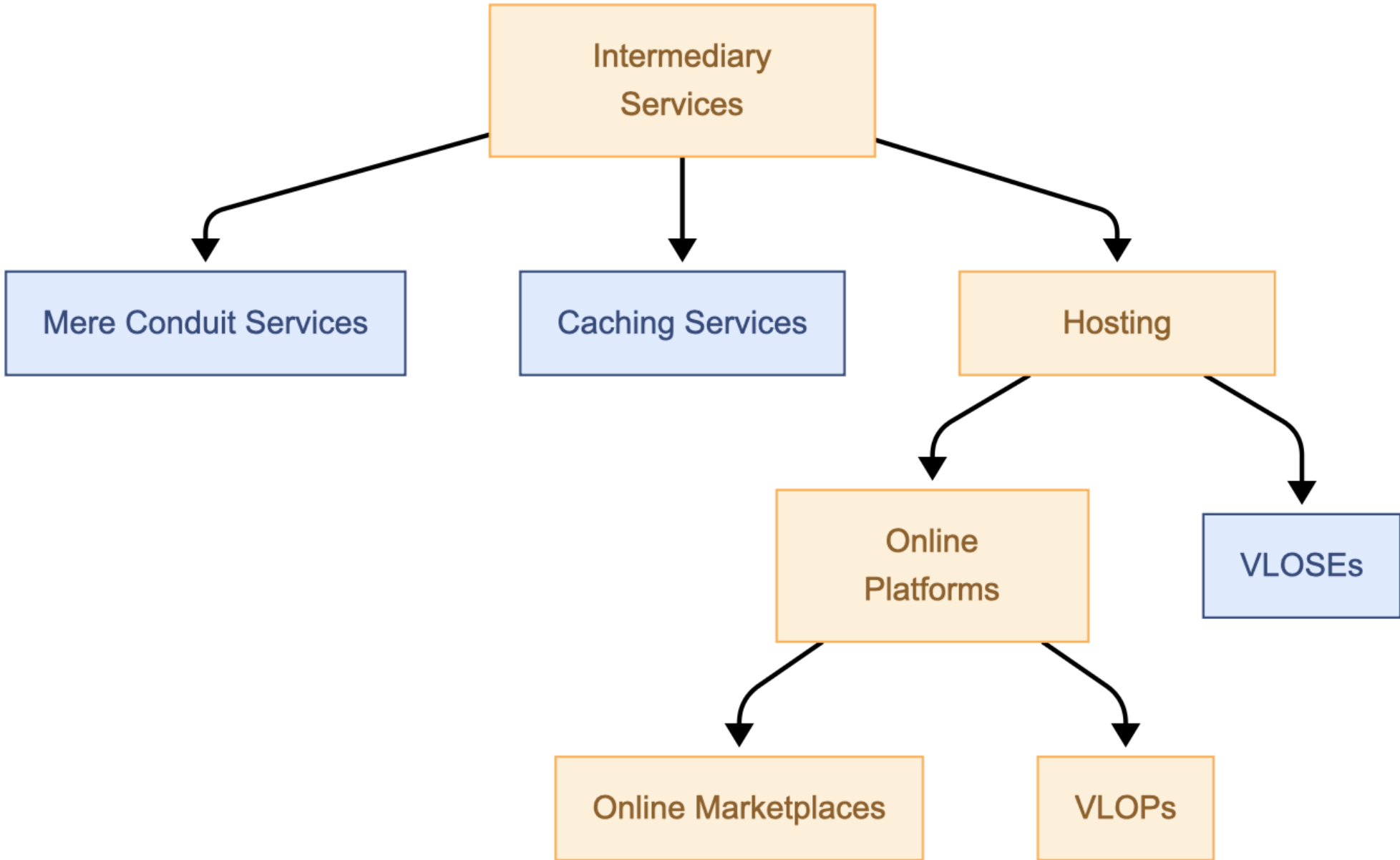


DSA Main Structure



DSA Chapter III: Due Diligence Obligations for Digital Services

Overview

The **EU Digital Services Act (DSA)** Chapter III (Articles 11-48) establishes a tiered framework of due diligence obligations for digital service providers, categorized by their roles and impact. The obligations escalate from general intermediary services to specialized categories like hosting services, online platforms, online marketplaces, and very large online platforms/search engines (VLOPs/VLOSEs). Additional provisions encourage voluntary standards and codes of conduct to enhance compliance. This document integrates the regulatory structure and obligations for each category, presented in a hierarchical and tabular format for clarity.

Regulatory Structure

The DSA categorizes service providers based on their functions, with obligations building cumulatively across layers:

- Intermediary Services** (Article 2(g)): Services providing conduit, caching, or hosting (e.g., ISPs, cloud services, platforms).
 - Subcategories:
 - Hosting Services** (Article 2(f)): Store and disseminate user information to the public (e.g., cloud storage, social media).
 - Online Platforms** (Article 2(h)): Hosting services disseminating user-uploaded content to the public (e.g., social media, content-sharing platforms).
 - Online Marketplaces** (Article 2(i)): Online platforms enabling consumers to conclude distance contracts with traders (e.g., Amazon, eBay).
 - VLOPs/VLOSEs** (Article 33): Online platforms or search engines with ≥45M monthly active EU users (e.g., Google, Facebook).
- Other Provisions**: Voluntary standards and codes of conduct (Articles 44-48) apply across categories to support compliance.

Obligations by Category

The following tables summarize the obligations for each category, referencing specific articles and highlighting cumulative responsibilities. Each table includes the scope, key obligations, and connections to other sections.

1. Intermediary Services (Articles 11-15)

Scope: All providers of conduit, caching, or hosting services (Article 2(g)).

Article	Obligation	Key Details	Connections
11	Contact Point	Establish an electronic point of contact for authorities and (for hosting) users, accessible, updated.	Basis for communication in later articles (e.g., Article 48).
12	Legal Representative	Non-EU providers designate an EU legal representative for compliance and liability.	Ensures enforcement across all categories.
13	Terms and Conditions	Include clear, accessible terms on restrictions, decision-making, and redress; inform users of changes.	Links to Article 14 (transparency), Article 20 (complaints).
14	Transparency Reporting	Annual public reports on content moderation (orders, notices, actions, automated tools, accuracy).	Extended by Article 24 (platforms), Article 42 (VLOPs/VLOSEs).
15	Illegal Content Notice	Act expeditiously on orders from authorities to remove illegal content, notify actions.	Foundation for Article 16 (hosting notices).

Notes:

- These obligations apply universally, forming the baseline for all subsequent categories.
- Micro/small enterprises (Recommendation 2003/361/EC) are exempt from some requirements (e.g., Article 14 for non-hosting).

2. Hosting Services (Articles 16-18)

Scope: Providers storing and disseminating user information to the public (Article 2(f)), including online platforms.

Article	Obligation	Key Details	Connections
16	Notice and Action	Provide accessible mechanism for users to report illegal content; act expeditiously, notify decisions.	Builds on Article 9; supports Article 20 (complaints).
17	Statement of Reasons	Provide clear, specific reasons for content/user restrictions, include redress options, submit to database.	Links to Article 24(5) (database), Article 20 (complaints).
18	Notification of Suspicions	Notify authorities of suspected serious crimes (e.g., child abuse) with user data, if reasonable grounds.	Complements Article 16; aligns with GDPR.

Notes:

- Hosting services inherit all intermediary obligations (Articles 11-15).
- Article 16’s notice mechanism is foundational for platform-specific processes (e.g., Article 22).

3. Online Platforms (Articles 19-28)

Scope: Hosting services disseminating user-uploaded content to the public (Article 2(h)), excluding micro/small enterprises unless VLOPs (Article 19).

Article	Obligation	Key Details	Connections
19	Micro/Small Exemption	Exempt micro/small enterprises (unless VLOPs); user number reporting (Article 24(3)) mandatory.	Aligns with Article 29 (marketplaces).
20	Internal Complaint System	Free, electronic system for users to complain about content/user restrictions; 6-month window, human oversight.	Extends Article 16-17; supports Article 21.
21	Out-of-Court Dispute Resolution	Users can access certified dispute bodies; platforms bear costs if user prevails, non-binding outcomes.	Complements Article 20; aligns with Directive 2013/11/EU.
22	Trusted Flaggers	Prioritize notices from certified trusted flaggers; DSC certifies, suspends/revokes if inaccurate.	Enhances Article 16; supported by Article 44(c).
23	Measures Against Misuse	Suspend users/notices/complaints for frequent illegal content or baseless submissions; fair assessment.	Supports Article 16, 20; terms transparency (Article 14).
24	Transparency Reporting	Report disputes, suspensions, user numbers; submit decisions to public database.	Extends Article 15; supports Article 42.
25	Interface Design	Prohibit deceptive/manipulative interfaces (dark patterns); align with GDPR, Directive 2005/29/EC.	Complements Article 14; supported by Article 44(b).
26	Advertising Transparency	Clearly mark ads, disclose sponsor/payer/parameters; no profiling with sensitive data (GDPR).	Extended by Article 39; supported by Article 44(g)(h).

Article	Obligation	Key Details	Connections
27✔	Recommender Systems	Disclose main parameters in terms, provide user modification options.	Extended by Article 38; supported by Article 44(i).
28	Minor Protection	High privacy/safety for minors; no profiling-based ads for minors; no extra data collection.	Aligns with GDPR; supported by Article 44(j).

Notes:

- Online platforms inherit intermediary and hosting obligations (Articles 11-18).
- Focus on user protection, transparency, and accountability due to public dissemination role.
- VLOPs are subject to these obligations unless exempted as micro/small (Article 19).

4. Online Marketplaces (Articles 29-32)

Scope: Online platforms enabling consumer-trader distance contracts (Article 2(i)), excluding micro/small enterprises unless VLOPs (Article 29).

Article	Obligation	Key Details	Connections
29	Micro/Small Exemption	Exempt micro/small enterprises (unless VLOPs); aligns with Article 19.	Consistent with Article 19.
30	Trader Traceability	Collect/verify trader info (name, ID, payment, registration, compliance certification); suspend non-compliant traders; publicize key info.	Supports Article 6(3) (consumer protection); links to Article 20-21 (complaints).
31	Compliance by Design	Design interfaces to enable trader compliance (pre-contractual, safety info); verify info, random checks for illegal products.	Complements Article 25; supported by Article 44(b).
32	Right to Information	Notify consumers of illegal products/services (6-month window); publicize if no contact details.	Aligns with Article 16-17; supports Article 24 (reporting).

Notes:

- Marketplaces inherit intermediary, hosting, and platform obligations (Articles 11-28).
- Focus on consumer protection through trader verification and product safety.
- Random checks and notifications enhance marketplace accountability.

5. Very Large Online Platforms and Search Engines (VLOPs/VLOSEs) (Articles 33-43)

Scope: Platforms/search engines with ≥45M monthly active EU users, designated by Commission (Article 33).

Article	Obligation	Key Details	Connections
33	Designation	Designated based on user data (Article 24); obligations apply 4 months post-notification; termination if <45M for 1 year.	Relies on Article 24(2)(3); overrides Article 19/29 exemptions.
34✔	Risk Assessment	Annual assessment of systemic risks (illegal content, rights, civic discourse, health, minors); consider algorithms, moderation, ads.	Foundation for Article 35; reported in Article 42.
35✔	Risk Mitigation	Implement reasonable, proportionate measures (e.g., adjust design, moderation, ads, cooperate with flaggers); Board reports best practices.	Builds on Article 34; supported by Article 45.
36	Crisis Response	Act on Commission decisions for public security/health crises; assess/adopt measures, report; max 3 months.	Complements Article 48; aligns with Article 35.
37	Independent Audit	Annual independent audit of Chapter III compliance, codes/protocols; report findings, implement recommendations.	Supported by Article 44(e); reported in Article 42.
38✔	Recommender Systems	Provide non-profiling option for each recommender system.	Extends Article 27; supported by Article 44(i).
39	Advertising Transparency	Maintain public ad repository (content, sponsor, reach, parameters) via API; exclude personal data.	Extends Article 26; supported by Article 44(f)(g)(h).
40✔	Data Access	Provide data to regulators/vetted researchers for compliance/risk research; explain algorithms; secure access via APIs.	Supported by Article 44(d); reported in Article 42.
41	Compliance Function	Establish independent compliance team with senior officer; monitor risks, audits, obligations.	Supports Article 34-37; contact point for Article 48.
42	Transparency Reporting	Every 6 months, report moderation resources, risks, audits, user numbers by Member State; publicize within 3 months.	Extends Article 15, 24; includes Article 34-37 data.

Article	Obligation	Key Details	Connections
43	Supervisory Fee	Pay annual fee (≤0.05% global income) for Commission supervision; proportional to users.	Funds Article 24(5), 56, 62 activities.

Notes:

- VLOPs/VLOSEs inherit all prior obligations (Articles 11-32), with stricter requirements due to systemic impact.
- Focus on systemic risk management, transparency, and external scrutiny (audits, data access).
- Fees ensure regulatory capacity for supervision.

6. Other Provisions: Voluntary Standards and Codes of Conduct (Articles 44-48)

Scope: Apply across all categories to support compliance through voluntary measures.

Article	Obligation	Key Details	Connections
44	Standards	Promote voluntary standards for notices (Article 16/22), interfaces (Article 39/40), audits (Article 37), ads (Article 26), minors (Article 28).	Supports Articles 16, 22, 26, 27, 37, 39, 40.
45	Codes of Conduct	Facilitate EU-level codes for illegal content/systemic risks; include KPIs, reporting; assess/monitor compliance.	Supports Articles 34-35; aligns with Article 37.
46	Advertising Codes	Encourage codes for ad transparency (beyond Article 26/39); cover data transmission, monetization; develop by Feb 2025, apply by Aug 2025.	Extends Articles 26, 39; supported by Article 44(g)(h).
47	Accessibility Codes	Promote codes for disability access (perceivable, operable services); develop by Feb 2025, apply by Aug 2025.	Complements Article 25; aligns with Article 44(b).
48	Crisis Protocols	Initiate voluntary protocols for public security/health crises; include info display, contacts, resource adjustments; report post-crisis.	Complements Article 36; uses Article 11/41 contacts.