**Compromise Amendment 4**

TRANSPARENCY AND INFORMATION OBLIGATIONS

The Digital Services Act should introduce clear ***and proportionate due diligence*** transparency and information obligations; those obligations should not create any derogations or new exemptions to the current liability regime ***and the secondary liability*** set out under Articles 12, 13, and 14 of the E-Commerce Directive and should cover the aspects described below:

1. **General information requirements**

The revised provisions of the E-Commerce Directive should strengthen the general information

requirements with the following obligations:

* the information requirements in Article 5 ***and Articles 6 and 10*** of the E-Commerce Directive should be reinforced**; *and***
* the “Know Your Business Customer” principle, ***limited to the direct commercial relationships of the hosting provider,*** should be introduced ***for business users***; ***hosting*** providers should ***compare the identification data provided by their business partners users against the EU VAT and Economic Operator Identification and Registration databases, where a VAT or EORI number exists; where a business is exempt from VAT or EORI registration, proof of identification should be provided; when a business user is acting as an agent for other businesses, it should declare themselves as such; hosting providers should ask their business users to ensure that all information provided is accurate and up-to-date, subject to any change***, and hosting service providers should notbe allowed to provide their services to ***business users*** when ***that information is incomplete or when the hosting provider has been informed by the competent authorities that the*** identity of their business ***customer user*** is false, misleading or otherwise invalid;
* The measure ***of exclusion from services referred to above*** should apply only to ***contractual*** business-to-business relationships and should be without prejudice to the rights of ***data subjects*** under the GDPR***. That measure should be without prejudice to the protection of as well as the right to internet online*** anonymity ***for users, other than business users or being an unidentified user;*** ***T***he new general information requirements should ***review and*** further enhance Articles 5, ***6*** and 10 of the E-Commerce Directive in order to align thosemeasures with the information requirements established in recently adopted legislation, inparticular the Unfair Contract Terms Directive, the Consumer Rights Directive and thePlatform to Business Regulation.
* ***Article 5 of the E-Commerce Directive should be further modernised by requiring digital service providers to provide consumers with direct and efficient means of*** ***communication such as electronic contact forms, chatbots, instant messaging or*** ***telephone callback, provided that the information relating to those means of communication is accessible to consumers in a clear and comprehensible manner;***