

Reference: 01821534

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

13 June 2024

## Freedom of Information request: Right to know request

Thank you for your request concerning the public interest test relating to the Telegraph Media Group's potential merger.

We received this request on 15 May 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

### Your request

---

*"Please provide all communications and documents shared with Ofcom as part of its invitation to comment on the public interest test on the potential merger situation in relation to Telegraph Media Group. This includes evidence relating to both the Public Interest Intervention Notice (PIIN) issued by the Secretary of State for Culture, Media and Sport on 30 November 2023 and to the subsequent PIIN issued on 26 January 2024."*

### Our response

---

We confirm that we hold this information.

We received a number of responses to our invitations to comment, the majority of which are exempt from disclosure under section 44 of the FOI Act. This provision exempts disclosure of information if another enactment prohibits it. In this case, section 237 of the Enterprise Act 2002 prohibits Ofcom from disclosing information which relates to a business or an individual which it has obtained in the course of exercising its functions under that Act, unless Ofcom has the consent of the business or individual in question or one of the statutory gateways to disclosure applies. In the case of the majority of responses, we do not have the necessary consent for disclosure and there is no applicable gateway which would permit us to make a disclosure in response to your request.

We consider that other exemptions under the FOI Act may also be applicable to these responses.

Certain respondents did give their consent when providing their responses and we are therefore disclosing these in response to your request. We have redacted some information on the grounds that it is personal data and is exempt from disclosure under section 40(2) of the FOI Act.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

**Request an internal review**

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team ([information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)) to request an internal review.

**Taking it further**

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).