

2024 No. ****

**FEES AND CHARGES
ELECTRONIC COMMUNICATIONS**

The Online Safety Act 2023 (Fees Notification) Regulations 2024

Made - - - - - [NNth Month Year]

Laid before Parliament - - - [NNth Month Year]

Coming into force - - - - - [NNth Month Year]

The Office of Communications (“OFCOM”) in exercise of the powers conferred by sections 85(2) of the Online Safety Act 2023 (“the Act”)¹ makes the following Regulations.

Before making these Regulations, OFCOM consulted the Secretary of State [*and have considered the representations made to them in accordance with section 85(8) of the Act*]

Citation and commencement

1. These Regulations may be cited as the [Online Safety Act 2023 (Fees Notification) Regulations 2024] and shall come into force on [date, month, and year].

Interpretation

2. —(1) In these regulations—
“the Act” means the Online Safety Act 2023;
“charging year” has the same meaning as in section 90 of the Act;
“fee-paying year” has the same meaning as in section 83(2) of the Act;
“financial statement” includes a statement of financial position, profit and loss, or cash flow.

(2) Any reference in these regulations to a provider of a regulated service is to be construed in accordance with sections 83(11) and 226 of the Act.

¹ 2023, Ch 50

Evidence, documentation and other information required for notification

3. —(1) This regulation applies where a provider of a regulated service must notify OFCOM under section 83(1)(a) or (b)(i) of the Act in relation to a charging year.

(2) The notification must include—

(a) where the charging year is the provider's first fee-paying year, a statement indicating that fact,

(b) evidence substantiating the details that must be submitted by the provider under section 83(3) of the Act (details of all regulated services provided by the provider and details of the provider's qualifying worldwide revenue);

(c) a declaration affirming that that evidence is accurate and complete in all material respects.

(3) Where possible, the evidence mentioned in paragraph (2)(b) must substantiate the details by reference to information in financial statements or other documents prepared for accounting purposes.

(4) The declaration must be made—

(a) where the provider is an entity, by a senior manager (within the meaning of section 103(4) of the Act), and

(b) in any other case, by an individual (whether acting as, or on behalf of, the provider) who is able to affirm the accuracy and completeness of the information in question.

(5) The things mentioned in paragraph (2) must be supplied in the manner prescribed by [insert name, version and date of document] as published by OFCOM on [date].

[Name]
[Title]
[Department]

Date

EXPLANATORY NOTE
(This note is not part of the Regulations)

DRAFT