

Freedom of Information: Right to know request

Thank you for your request for information dated 31 March about the Secretary of State's referral to Ofcom of News UK and the proposed take-over of Sky which we have considered under The Freedom of Information Act 2000 ('the FoIA'). Please find below our response to each of the questions you asked. We note there are two questions numbered 1.

1. What is the text of the Secretary of State Ms Karen Bradley's referral letter dated 16th March 2017 regarding the Secretary of State's referral to Ofcom of News UK and Rupert Murdoch's proposed take-over of Sky? The document may be obtained from DCMS's website: <https://www.gov.uk/government/collections/proposed-merger-between-twenty-first-centuryfox-inc-and-sky-plc>

1. What is the text of the third party objections received by the Secretary of State Ms Karen Bradley regarding the Secretary of State's referral to Ofcom of News UK and Rupert Murdoch's proposed take-over of Sky? Ofcom holds some information of this kind but we consider that its disclosure to you is prohibited by Part 9 of the Enterprise Act 2002 and therefore the exemption in s.44 of the FoIA applies. Section 44 is an absolute exemption under the FoIA and does not require a public interest test.

2. What is the text of the Secretary of State Ms Karen Bradley's letters and notifications to 3 both the legal representatives of Rupert Murdoch and News UK regarding the Secretary of State's referral to Ofcom of News UK and Rupert Murdoch's proposed take-over of Sky? The document may be obtained from DCMS's website: <https://www.gov.uk/government/collections/proposed-merger-between-twenty-first-centuryfox-inc-and-sky-plc>

3. What is the text of the Secretary of State Ms Karen Bradley's European Commission Notice regarding the Secretary of State's referral to Ofcom of News UK and Rupert Murdoch's proposed take-over of Sky? The document may be obtained from DCMS's website: <https://www.gov.uk/government/collections/proposed-merger-between-twenty-first-centuryfox-inc-and-sky-plc>

4. What is the text of the legal representatives of News UK and Rupert Murdoch's representations to the Secretary of State Ms Karen Bradley regarding the referral to Ofcom of News UK and Rupert Murdoch's proposed take-over of Sky? Ofcom holds some information of this kind but we consider that its disclosure to you is prohibited by Part 9 of the Enterprise Act 2002 and therefore the exemption in s.44 of the FoIA applies. Section 44 is an absolute exemption under the FoIA and does not require a public interest test.

5. What is the reason why the referral was not referred to Ofcom under the "fit and proper person" criteria under the Communications Act 2003 by the Secretary of State

Ms Karen Bradley in her referral letter dated 16th March 2017? This is not a request for information under the FoIA, as it requires us to express an opinion.

Timing

If you wish to exercise your right to an internal review you should contact us within two months of the date of this letter. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF