

Reference: 01995421

Information Requests
information.requests@ofcom.org.uk

6 June 2025

Dear,

Freedom of Information request: Right to know request

Thank you for your request for information about LuaLuaTV.

We received this request on 09 May 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

"Can you disclose all information you hold on LuaLua TV?"

Our response

We hold information in scope of your request given Shells for Media Productions Limited is a licensee. It holds a television licensable content service (TLCS) licence - [apply for licence](#). The licensee originally applied for the licence in 2011 to broadcast a service known as 'Al Lula TV' and since changed the broadcast service name to 'LuaLua TV.'

However, we feel it is important to outline the licensing position as it stands today, because Brexit brought about changes to the licensing framework (our [published FAQs](#) lay out high level information). The service Ofcom licensed in 2011 is no longer a licensable one. This is because it is not accessible from a [UK regulated EPG](#) and neither does it meet the requirements to be licensed by Ofcom under the European Convention on Transfrontier Television. This means that any current broadcast services provided by Shells for Media Productions Ltd are not in UK jurisdiction and consequently not regulated by Ofcom.

There is no requirement for a licensee to surrender its licence if it ceases to provide the associated service/the service is no longer licensable. The annual licence fee must continue to be paid.

Publicly available information about the licence held by Shells for Media Productions Ltd is available on our website [here](#) and [here: Bulletin issue 345](#) (see page 10). We have also attached the licence related documents.

While we do hold further information regarding LuaLua TV we consider it is exempt from disclosure under Section 44 of the FOI Act. Section 44(1) of the FOI Act provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. The enactment that prohibits the disclosure of this information is section 393(1) of the Communications Act 2003 ("the Communications Act"). Under this section, we are prohibited from disclosing information with respect to a particular business that has been obtained in the exercise of our regulatory functions, unless that business consents or one of the statutory gateways under section 393(2) of the

Communications Act is met, neither of which apply here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to the public interest test.

We also consider that other exemptions under the FOI Act may be applicable here including section 43 (which relates to prejudice of commercial interests) - [Section 43](#) and section 36 (which relates to, among other things, prejudice to effective conduct of public affairs) [Section 36](#).

We hope this information is helpful. If you have any further queries, then please send them to 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) 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](#).