

Reference: 02108305

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

10 December 2025

Dear,

### Freedom of Information request: Right to know request

Thank you for your request for information concerning Section 100 and 101 of the Online Safety Act 2023.

We received this request on 12 November 2025, and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

#### Your request & our response

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***“I would be grateful if you could supply me with the following information:  
Information relating to section 100 and 101 notices under the Online Safety Act 2023 held by Ofcom in relation to:***

***1. The number of notices issued by OFCOM pursuant to section 100 of the Online Safety Act 2023 in draft.***

As at 18 November 2025, when we collated the information to respond to your question, 184 draft Section 100 Notices had been issued.

***2. The number of notices issued by OFCOM pursuant to section 100 of the Online Safety Act 2023 in final form.***

As at 18 November 2025, when we collated the information to respond to your question, 232 final Section 100 Notices had been issued.

***3. The number of notices issued by OFCOM pursuant to section 100 of the Online Safety Act 2023 which a service has:***

***\* Failed to respond to.***

***\* Failed to provide the relevant information requested.***

We have interpreted your request as relating to section 100 notices where Ofcom has considered a service’s failure to respond or failed to provide the information requested and has made a finding of non-compliance. Please see the links to our investigations where we have to date found service providers’ to be non-compliant with their obligations related to s100 notices below:

- [4chan](#)
- [AVS Group Ltd](#)
- [Itai Tech Ltd](#)

Please note that two provisional decisions have been issued regarding service providers' compliance with a section 100 notice, but no final decisions have yet been reached:

- [Kick Online Entertainment S.A.](#)
- [8579 LLC](#)
- [lm.ge](#)

We have also opened three investigations in which a determination has not yet been made:

- [Xgroovy](#)
- [Cyberitic LLC](#)
- [Youngtek Solutions Ltd](#)

Updates on our investigations can be found [here](#).

#### **4. The number of notices issued by OFCOM pursuant to section 101 of the Online Safety Act 2023 in draft.**

We have interpreted your request to include both Data Preservation Notices (DPN) under Section 101(C1) and Coroner Information Notices (CIN) under Section 101(1) under the Online Safety Act (OSA). Where relevant, we have provided the information for each category of notice separately below.

As set out in Ofcom's [Online Safety Information Powers Guidance](#), Ofcom will, as a general rule, issue statutory information notices in draft form and this is the approach which we apply to CINs under Section 101(1)<sup>1</sup>.

We are currently [consulting](#) on amendments to this guidance in relation to DPNs<sup>2</sup>. Our proposed approach to DPNs, and that which we have taken to date, is that DPNs will only be issued in final form so that it is more likely to be successful in preserving the relevant information. The final updated guidance will be published later this month.

As at 18 November 2025, when we collated the information to respond to your question, 7 draft Section 101(1) Coroner Information Notices had been issued. No draft Section 101(C1) Data Preservation Notices have been issued.

#### **5. The number of notices issued by OFCOM pursuant to section 101 of the Online Safety Act 2023 in final form.**

As at 18 November 2025, when we collated the information to respond to your question, 6 final Section 101(1) Coroner Information Notices had been issued, and 12 final Section 101(C1) Data Preservation Notices had been issued.

#### **6. The number of notices issued by OFCOM pursuant to section 101 of the Online Safety Act 2023 which a service has:**

**\* Failed to respond to.**

**\* Failed to provide the relevant information requested.**

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<sup>1</sup> See in particular paragraphs 4.24 and 4.71-4.76

<sup>2</sup> See Section 3

To date there have been no Section 101 Coroner Information Notices nor Data Preservation Notices to which a service has failed to respond, nor to which a service has failed to provide the relevant information requested.

**7. A list of the services who have received notices issued by OFCOM pursuant to section 100 and section 101 of the Online Safety Act 2023.**

While we hold the requested information regarding notices issued by Ofcom pursuant to section 100 and section 101 of the Online Safety Act 2023, 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.

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](#).