

A11. Draft Manner of Notification document

Overview

- A11.1 The Online Safety Act ('the Act') establishes an online safety fees regime¹ and imposes an obligation on certain providers of regulated services under the Act to pay fees.² The Act also requires certain providers of regulated services to notify Ofcom in relation to fee payment in particular circumstances.³
- A11.2 Those notifications must include particular details, supporting evidence, documents and other information as specified in Ofcom's Notification Regulations.
- A11.3 The Notification Regulations contain a particular requirement about the manner in which information must be supplied to Ofcom and expressly refers to this document, which prescribes the manner in which information must be supplied to Ofcom. The manner of notification requirements set out in this document must be followed by providers when supplying the required information. This document should be considered in conjunction with the fees provisions contained in the Act and the Notification Regulations.

Definitions

- A11.4 In this document, except insofar as the context otherwise requires, words or expressions shall have the meaning assigned to them below.
- i) **'Fee paying year'** has the meaning given to it under Section 83(2) of the Act.
 - ii) **'Notification Regulations'** means the [Online Safety Act 2023 (Fees Notification) Regulations 2024] as amended from time to time.
 - iii) **'Online services portal'** means the secure online portal through which providers will submit their QWR Return.
 - iv) **'Provider'** has the meaning given to it under Section 226 of the Act and refers to providers who are required to notify under Section 83 the Act.
 - v) **'Qualifying period'** has the meaning given to it under Part 2 of the QWR Regulations.
 - vi) **'QWR'** means the qualifying worldwide revenue of a Provider, as set out within Part 2 of the QWR Regulations.
 - vii) **'QWR Regulations'** means the [Online Safety Act 2023 (Qualifying Worldwide Revenue) Regulations 2024], as amended from time to time.
 - viii) **'QWR Return'** means the electronic form which includes the provision for QWR information together with supporting evidence to be supplied by the provider of a regulated service for the relevant Qualifying Period.

¹ Under Part 6 of and Schedule 10 to the Act.

² To be liable to pay fees with respect to a charging year, the provider of a regulated service: (a) must have a QWR that meets or exceeds the QWR threshold that has effect for that charging year; and (b) must not be exempt.

³ Section 83 of the Act.

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A11.5 A notification under the Act will need to be made by Providers electronically submitting a QWR Return via Ofcom’s secure Online Services Portal [or via an equivalent secure facility]. Whenever a notification is made, the contents of the QWR Return must be verified by a signed declaration⁴ affirming that the evidence provided is accurate and complete in all material respects, in the form set out in Annex 11.1. Where this is a notification for the Provider’s first fee-paying year, the provider must also include a statement confirming that fact in the form set out in Annex 11.2.

Annex 11.1

The Declaration – to be provided whenever a notification is made:

I make this declaration pursuant to [Regulation 3(2)(c)] of the Notification (Online Safety Fees) Regulations 2024.

I am authorised to make the following declaration acting as, or on behalf of, the provider:

I affirm, that to the best of my knowledge and belief, the evidence provided pursuant to the notification submitted on [insert date], is accurate and complete in all material respects.

Signed:⁵

Name: (block letters)

Position: (block letters)

Provider:

Date:

⁴ This declaration must be signed by a senior manager as set out within section 103(4) of the Act, and 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 This declaration must be signed by a senior manager as set out within section 103(4) of the Act, and 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.

Annex 11.2

Statement – to be submitted in a Provider’s First Fee-Paying Year

I make this statement pursuant to [Regulation 3(2)(a)] of the Notification (Online Safety Fees) Regulations 2024 and can confirm that the charging year is [XXX]’s first fee-paying year.

Signed:

Name: (block letters)

Position: (block letters)

Provider:

Date: