



# Online Safety Act 2023

## 2023 CHAPTER 50

### PART 7

#### OFCOM'S POWERS AND DUTIES IN RELATION TO REGULATED SERVICES

### CHAPTER 4

#### INFORMATION

##### *Information powers and information notices*

#### **103 Requirement to name a senior manager**

- (1) This section applies where—
  - (a) OFCOM give a provider of a regulated service an information notice, and
  - (b) the provider is an entity.
- (2) OFCOM may include in the information notice a requirement that the provider must name, in their response to the notice, an individual who the provider considers to be a senior manager of the entity and who may reasonably be expected to be in a position to ensure compliance with the requirements of the notice.
- (3) If OFCOM impose a requirement to name an individual, the information notice must—
  - (a) require the provider to inform such an individual, and
  - (b) include information about the consequences for such an individual of the entity's failure to comply with the requirements of the notice (see section 110).
- (4) An individual is a “senior manager” of an entity if the individual plays a significant role in—
  - (a) the making of decisions about how the entity's relevant activities are to be managed or organised, or
  - (b) the actual managing or organising of the entity's relevant activities.

*Status: This is the original version (as it was originally enacted).*

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- (5) An entity's "relevant activities" are activities relating to the entity's compliance with the regulatory requirements imposed by this Act in connection with the regulated service to which the information notice in question relates.