



Online Safety Act 2023

2023 CHAPTER 50

PART 7

OFCOM'S POWERS AND DUTIES IN RELATION TO REGULATED SERVICES

CHAPTER 6

ENFORCEMENT POWERS

Provisional notices and confirmation decisions

132 Confirmation decisions

- (1) This section applies if—
- (a) OFCOM have given a provisional notice of contravention to a person in relation to a failure to comply with a duty or requirement (or with duties or requirements), and
 - (b) the period allowed for representations has expired.

A duty or requirement to which the provisional notice of contravention relates is referred to in this section as a “notified requirement”.

- (2) If, after considering any representations and evidence, OFCOM decide not to give the person a notice under this section, they must inform the person of that fact.
- (3) If OFCOM are satisfied that the person has failed, or has been failing, to comply with a notified requirement, OFCOM may give the person a notice under this section (a “confirmation decision”) confirming that that is OFCOM’s opinion.
- (4) A confirmation decision and a notice under section 121(1) may be given in respect of the same failure.
- (5) A confirmation decision given to a person may—
- (a) require the person to take steps as mentioned in section 133;

Status: Point in time view as at 31/01/2024.

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, Section 132. (See end of Document for details)

- (b) require the person to pay a penalty as mentioned in section 137;
 - (c) require the person to do both those things (or neither of them).
- (6) See sections 134 and 135 for further provision which a confirmation decision may include in cases of failure to comply with duties about risk assessments or children's access assessments.

Commencement Information

- I1** S. 132 not in force at Royal Assent, see [s. 240\(1\)](#)
- I2** [S. 132](#) in force at 10.1.2024 by [S.I. 2023/1420](#), [reg. 2\(z17\)](#)

Status:

Point in time view as at 31/01/2024.

Changes to legislation:

There are currently no known outstanding effects for the Online Safety Act 2023, Section 132.