STATUTORY INSTRUMENTS

2025 No. 1204

FEES AND CHARGES

ELECTRONIC COMMUNICATIONS

The Online Safety Act 2023 (Fees) (Threshold Figure) Regulations 2025

Made - - - -	*18th November 2025*
Laid before Parliament	*20th November 2025*
Coming into force - -	*11th December 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 86(2) of the Online Safety Act 2023(**a**).

In accordance with section 86(2) of that Act, the Secretary of State makes these Regulations having taken advice from OFCOM.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Online Safety Act 2023 (Fees) (Threshold Figure) Regulations 2025.

(2) These Regulations come into force on 11th December 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Threshold figure

2.—(1) For the purposes of sections 83 and 84 of the Online Safety Act 2023 (duty to notify OFCOM and duty to pay fees), the threshold figure is £250 million.

(2) The threshold figure specified in paragraph (1) takes effect from the beginning of the charging year(**b**) beginning with 1st April 2026.

(**a**) 2023 c. 50.
(**b**) "Charging year" is defined in section 90 of the Online Safety Act 2023 (c. 50).

Kanishka Narayan
Parliamentary Under-Secretary of State
18th November 2025 Department for Science, Innovation and Technology

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first regulations to be made under section 86 of the Online Safety Act 2023 (c. 50) ("the Act"). They specify the "threshold figure" for the purposes of section 83 (duty to notify OFCOM) and section 84 of that Act (duty to pay fees).

The cost to OFCOM of exercising its online safety functions will be met by fees charged to providers of regulated services who meet the charging criteria (that is, those providers with a qualifying worldwide revenue at or above a specified threshold figure who are not exempt from the duties to notify and pay fees in sections 83 and 84 of the Act). The amount of the fee payable to OFCOM will be determined by reference to the provider's qualifying worldwide revenue for the qualifying period, and any other factors that OFCOM consider appropriate. "Qualifying Worldwide Revenue" (in respect of a provider of a regulated service) is defined in regulation 6(2) of the Online Safety Act 2023 (Qualifying Worldwide Revenue) Regulations 2025 (S.I. 2025/1032) as the total amount of revenue the provider receives during the qualifying period that is referable to the regulated service. "Qualifying period" is defined in regulation 9 of S.I. 2025/1032 as the second calendar year preceding the one within which the charging year begins.

Providers with a qualifying worldwide revenue that is equal to or above the specified threshold figure have a statutory duty to notify OFCOM in accordance with the requirements set out in section 83 of the Act, unless they meet an exemption that has been published by OFCOM and approved by the Secretary of State (section 83(6)). OFCOM will publish details of any approved exemptions on its website (www.ofcom.org.uk). Section 83(5)(a) of the Act requires providers to notify OFCOM in respect of the initial charging year within four months of the date on which these Regulations come into force.

Section 86 of the Act requires OFCOM to carry out a consultation to inform the setting of the threshold figure. It further requires that, after completion of the consultation and having taken advice from OFCOM, the Secretary of State must make regulations specifying the threshold figure for the purposes of sections 83 and 84 of the Act. The consultation was carried out between October 2024 and January 2025 and OFCOM provided its advice to the Secretary of State in June 2025 (both documents available at: www.ofcom.org.uk). The Secretary of State makes these Regulations having considered that advice, and will keep the threshold figure under review in accordance with the duty to do so in section 86(3) of the Act.

Regulation 2 specifies the threshold figure which has effect for the charging year from 1st April 2026 to 31st March 2027. Section 86(5) of the Act requires that the regulations must provide that a threshold figure is to take effect from the beginning of a particular charging year. Regulation 2(2) provides that the threshold figure specified in regulation 2(1) takes effect from the beginning of the charging year commencing 1st April 2026.

An impact assessment of the effect that this instrument will have on the costs to business under the Better Regulation Framework has not been prepared as these Regulations are in connection with a tax, duty, levy or other charge. However, OFCOM carried out and published an assessment of the likely impact on providers of implementing the fees proposals as a package (including the Online Safety Act 2023 (Qualifying Worldwide Revenue) Regulations 2025 (S.I. 2025/1032), the Online Safety Act 2023 (Fees Notification) Regulations 2025 (S.I. 2025/747) and these Regulations). This assessment is included in Chapter 5 of its public consultation on fees referred

to above, which is available at: www.ofcom.org.uk. An updated impact assessment was also included in Chapter 10 its final policy statement (also available at: www.ofcom.org.uk).

© Crown Copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827669-5



£6.40

http://www.legislation.gov.uk/id/uksi/2025/1204