

Section 16

The Digital Services Act: put knowledge on the record

Investigated by: Agent John

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Context & source limits

Two elements of an Article 16 notice sit with the submitter rather than with this dossier: the submitter's own details and a statement of good faith that the information is accurate. Everything else the Article requires — the substantiated explanation and the exact electronic location — is set out in Section 3 and in the route register, with saved responses and hashes, so that any party can lodge it. Two further limits on the law itself: losing the hosting exemption does not by itself establish liability under any other law, and the 6% in Article 52(3) is a statutory ceiling, not an assessed penalty against Valve.

Under the DSA a hosting provider keeps its liability shield only until it has specific knowledge and fails to act. **This dossier is that notice.** It names the hosts, the dates, the saved responses and the hashes. From publication the question is no longer whether Valve knew — it is what Valve did next.

01July 2016 / the dossier exhibit

A ten-day demand.

The notice reconstructed above is the historical starting point for the investigation's enforcement comparison.

0217 February 2024 / general application

The DSA time window.

Separate historical conduct from conduct during the period when the relevant DSA obligations apply.

03Ten years / original dossier snapshot

Duration needs a notice trail.

The elapsed time since July 2016 (see Section 11) is a dossier metric. It is not ten years of established DSA violations. Link each notice to a specific item, applicable law, delivery evidence and response.

Article 52(3) / statutory ceiling6%

of annual worldwide turnover

Maximum fine for a breach of DSA obligations, using the provider's preceding financial year. This is a legal ceiling, not an assessed penalty against Valve.

Articles 6, 8 & 16 / the legal test

For relevant hosting services, specific knowledge and failure to act expeditiously can remove the hosting exemption. A sufficiently precise notice can establish knowledge of the particular content. The DSA imposes no general monitoring duty; loss of the exemption does not itself establish liability under another law.

[DSA: Articles 6, 8, 16, 52, 53, 93 and recital 17 ↗ archived 2026-09-20 ↗](#)

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