DMCC Act in Focus
Competition Guide

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Introduction

This guide explores the key competition-related changes made under the Digital Markets, Competition and Consumers Act (**DMCC** or **the Act**).

There are two parts to the guide:

Part 1. New powers for the Competition and Markets Authority (**CMA**) when investigating markets and enforcing UK competition law.

Part 2. Changes to the UK merger control regime.

Please note that the changes to the UK competition regime highlighted in this guide are subject to further guidance from the CMA. This is expected to be published after the Act receives Royal Assent.

To read our guide on the CMA's new **digital markets powers**, as well as our guide on changes to **consumer protection law** under the Act, **visit tlt.com/DMCCAct**.

Part 1

UK Competition law regime: Sweeping new powers for the CMA

Competition law changes in a nutshell

As far as UK competition law is concerned, while Part 1 of the Act (which confers sweeping powers on the CMA's nascent Digital Markets Unit) has been heralded as 'game-changing' in terms of the CMA's ability to regulate big tech, Part 2 of the Act is designed to upgrade the CMA's existing enforcement toolkit, strengthening its enforcement powers in areas where it believes they are currently lacking.

The importance of these changes should not be underestimated. While UK competition laws themselves have not changed, the CMA now has even greater powers at its disposal when carrying out investigations and market studies.

Read on to find out more about the CMA's enhanced competition powers under the Act, including:

1. **Requests for information** – The CMA's powers to force companies to provide data/information during investigations
2. **Dawn raids** – New and extended dawn raid powers for the CMA
3. **Market investigations** – Updated powers for the CMA's market investigation regime
4. **Extra-territorial reach** – Clarifying the CMA's extra-territorial reach outside the UK
5. **Penalties** – The CMA's ability to impose penalties on companies that breach commitments or undertakings

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1 Requests for Information: The CMA gets a bigger stick

Any company that has been involved in a CMA investigation or market study will know that responding to statutory Requests for Information (RFIs) can be incredibly challenging. It is not uncommon for RFIs to contain multiple pages of complex lines of questioning, often with detailed requests for commercially sensitive data. This can be a huge distraction for businesses that may not have the resources to provide the requested data within the CMA's timescales. The Act gives the CMA even tougher powers to force companies to comply with RFIs.

The CMA was concerned that its statutory powers to force companies to comply with RFIs during market studies and investigations under the Enterprise Act 2002 (**EA02**) and enforcement investigations under the Competition Act 1998 (**CA98**) were not strong enough. In particular, the CMA's ability to impose fixed penalties was capped at a maximum of £30,000 per RFI (though daily penalties may also be applied, subject to a cap of £15,000 per day). From the CMA's perspective, those penalties were occasionally insufficient to encourage prompt compliance.

For example, the CMA recently served a penalty notice on BMW for failure to comply with a Section 26 Notice (see more on page 6) as part of its ongoing CA98 investigation into end-of-life vehicles. It also penalised ASDA for failure to provide information in connection with the CMA's road fuel market study. In each case, the fixed penalties imposed were capped at £30,000 – but under changes outlined in Schedule 9 of the Act, the CMA now has the power to impose **fixed penalties up to 1% of global turnover** and/or **daily penalties of up to 5% of the company's global daily turnover** in the event of failure to comply (without reasonable excuse) with RFIs issued in the following circumstances:

- **Under Section 26 CA98** during CA98 competition enforcement cases; and
- Under **Section 174 EA02** in CMA market studies and subsequent market investigations.

Further detail on the CMA's powers in relation to its market investigation activities is set out in section 3.

Case Study 1: Failure to comply with RFI (ASDA)

What happened?	What was the penalty?	What would happen under the DMCC Act?
The CMA served RFIs on ASDA as part of its market study into the supply of road fuel in the UK. Subsequently, the CMA requested that ASDA representatives attend an interview to give evidence to the CMA. It's important to note that ASDA was not suspected of breaching competition law; the notices were served under Section 174 EA02 so that the CMA could determine whether the UK road fuel market was working effectively for consumers. Nevertheless, the notices requested detailed and sensitive information about ASDA's fuel pricing strategy, margins and profitability. ASDA failed to provide the information by the CMA's deadlines, which had already been extended, and initially sent representatives to the subsequent interview who were unable to speak to the topics identified by the CMA in its notice. The CMA found that ASDA had no reasonable excuse for failing to comply with its requests.	The CMA imposed two separate penalty notices on ASDA under Section 174A of EA02; one for failing to comply with the information notice and one for failing to comply with the subsequent interview notice. Both fines were for the **statutory maximum of £30,000** (£60,000 in total).	Under Schedule 9 of the Act, the CMA can **impose penalties of up to 1% of turnover** on firms that fail to respond to RFIs issued as part of market studies and investigations. For a company of ASDA's size, the penalties involved could be in the millions of pounds (although we await further guidance from the CMA on how it will approach penalty calculations for notices served under Section 174A of EA02). It's important to remember that unjustified non-compliance can lead to significant daily penalties, potentially up to 5% of the daily turnover of the firm. This highlights the ongoing risk and the need for continuous compliance.

2 Widening the net: Extending the CMA's dawn raid powers

While the CMA already had extensive dawn raid powers (for both domestic and company premises) under Section 27 CA98, the Act modernises those powers and, in particular, gives the CMA greater powers to seize documents from the private homes of individuals suspected of involvement in an infringement.

This has become particularly relevant in recent years with more and more employees working from home. Some companies now only retain a basic hub for meetings and in-person work, with staff predominantly working remotely. The CMA is therefore keen to ensure it has the full range of statutory powers to inspect personal offices in the same way it has traditionally inspected corporate offices.

The **CMA's recent successful appeal** of the Competition Appeal Tribunal's (**CAT**) decision to **decline its request for a warrant** to inspect records at the home of an individual with suspected involvement in a cartel, shows that the CMA means business and is determined to test the outer limits of its statutory powers.

Under the Act, the CMA has been given the ability (in cases where a warrant is granted) to exercise so-called "seize and sift" powers. This means that its inspectors will have the power to remove items such as laptops and personal devices from domestic premises to enable the CMA's digital forensics teams to examine them off-site.

For dawn raids more generally, the CMA has been granted tougher powers to impose penalties on companies that **obstruct or conceal evidence** during an inspection. The Act amends Section 40A of CA98, replacing the maximum fixed penalty for obstructing CMA inspectors while exercising their dawn raid powers from £30,000 to a **penalty of up to 1% of global turnover** (and/or a daily penalty of up to 5% of daily global turnover).

Companies are advised to revisit their dawn raid policies and procedures in light of these developments, particularly if they have not been updated to reflect changes in operating procedures brought about by flexible and remote working patterns.

Case Study 2: Obstructing a dawn raid (Fender)

What happened?	What was the penalty?	What would happen under the DMCC Act?
A Fender employee removed potentially sensitive hard copy notebooks from the premises during an unannounced CMA inspection at Fender's offices between 17–19 April 2018. Upon learning of the incident, Fender notified the CMA. However, applying its 'strict liability' approach, the CMA still found that Fender was responsible for the employee's actions, and had therefore obstructed an inspection.	The CMA imposed a penalty of £25,000, reduced from the statutory maximum of £30,000 to reflect mitigating circumstances.	The CMA will now be able to impose much larger penalties of up to 1% of global turnover (or daily penalties as mentioned). This will bring the CMA's powers more closely in line with those of the European Commission, which has regularly imposed huge penalties – including a €38million penalty imposed on E.ON for breaking a seal affixed by Commission inspectors overnight during an inspection of its German premises.

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3 Market investigations

Under the DMCC Act, the CMA has also gained much more flexible market investigation powers when conducting in-depth inquiries into markets that it believes are not working effectively and may require structural remedies (in the form of binding Orders) to address the market failures.

Over the years, Market Investigation Orders have been imposed to regulate market conduct in several sectors, including grocery, retail banking, private motor insurance and funerals. The CMA already had broad discretion regarding the conduct requirements it can impose through Market Investigation Orders. For example, the Private Motor Insurance Order banned some price comparison websites and insurers from entering into certain types of price parity clauses, while the Groceries (Controlled Land) Order prohibits large grocers from entering into specific forms of restrictive covenants with the sale of groceries.

However, the CMA's powers concerning the enforcement of Market Investigation Orders were previously limited as it was unable to impose penalties for breach of an Order. Parties suffering loss, etc., as a result of a breach could bring an action and/or the CMA could have sought to enforce an Order by bringing civil proceedings, but the CMA was unable to sanction a breach directly. That has changed under the Act, which gives the CMA the power to impose penalties in such cases of up to 1% of global turnover and/or daily penalties of up to 5% of the company's global daily turnover.

Please note that while not strictly stated in the Act, it is widely understood that the new powers are not intended to be used retrospectively in relation to Orders that have already been imposed by the CMA.

Case Study 3: Breach of Market Investigation Order

What happened?	What was the penalty?	What would happen under the DMCC Act?
In December 2023, the CMA found that Morrisons and Marks & Spencer had breached the Groceries (Controlled Land) Order on multiple occasions by entering into land agreements that breached the terms of the Order imposed by the CMA in 2010. Other supermarkets have also been found to have breached the Order in recent years.	No direct penalties can be imposed under the Controlled Land Order – as is currently the case for all Orders imposed by the CMA upon the conclusion of a market investigation. The CMA would need to take a company to court to ensure compliance with an Order when compliance cannot be secured via dialogue between the parties.	While the CMA is unlikely to use its new powers to impose penalties for subsequent breaches of the Controlled Land Order, it can now issue penalties for breaches of new Orders implemented by the CMA in Market Investigations following the commencement of the Act. This will significantly up the ante for any company subject to a Market Investigation.

In addition to its new powers in relation to breach of Market Investigation Orders, the CMA has also gained more flexible powers in the following areas:

It can now accept commitments at any time during a market investigation, which may include partial commitments, thereby enabling the CMA to narrow the scope of the investigation.

It has the power to 'trial' remedies during an investigation to determine the most effective form of remedy, which may require the companies involved in the market to carry out mandatory trials and report back to the CMA.

It will be able to impose fixed penalties of up to 1% of global turnover and/or daily penalties of up to 5% of the company's global daily turnover in cases where a company fails to respond to an RFI served during the course of a market investigation.

4 Extra-territorial reach of the CMA

Brexit has posed a jurisdictional challenge to the CMA now that it sits outside the European Union and European Competition Network. This can make it harder to obtain information from global corporations that may have information relevant to a UK competition investigation that is technically stored or hosted overseas.

The territorial scope of the CMA's information-gathering powers under Section 26 notices was tested by the recent high-profile BMW case, which was recently resolved in the Court of Appeal. However, the CMA hopes to put to bed any lingering uncertainty by making its extra-territorial powers crystal clear via a new Section 44B introduced into CA98 by the Act.

This states that the CMA may (i) serve Section 26 notices on a company based outside the UK and/or (ii) request specified documents or information held outside the UK, provided that the overseas company in question has a 'UK connection'.

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Case Study 4: Extra-territorial reach of s26 Notice (BMW)

What happened?	What was the penalty?	What would happen under the DMCC Act?
The CMA served Section 26 notices on BMW AG (based in Germany) as part of its ongoing CA98 investigation into end-of-life vehicles. BMW refused to comply as it claimed the CMA was overstepping its territorial powers by requiring BMW's German group company to provide documents.	The CMA imposed a £30,000 fine plus a daily penalty of £15,000. BMW successfully appealed the penalty in the CAT; however, the Court of Appeal recently reversed the CAT judgment and determined that the CMA does have the power to require overseas companies to produce documents as part of an ongoing CA98 investigation.	Notwithstanding the Court of Appeal's 17 January 2024 judgment, Section 44B of the DMCC Act should help dispel any uncertainty by making the extra-territorial scope of the CMA's powers much clearer.

5 Penalties for breach of commitments

The CMA was concerned that its existing enforcement toolkit was insufficient to hold companies to account if they renege on commitments given to the CMA to 'settle' an ongoing investigation.

For example, the CMA resolved its recent CA98 investigation into **Meta and Amazon** and its 2021 investigation into the **electric vehicle charging market** via commitments. This enabled the CMA to close the investigations in question by securing the desired behavioural remedies without imposing penalties. Of course, this outcome also saved the public purse from the significant costs associated with the CMA serving a Statement of Objections, Infringement Notice and, potentially, an appeal in the CAT.

However, the CMA's concern was that it could not impose penalties on firms that **breach commitments** given to the CMA in circumstances such as those described above. The CMA would previously have needed to take a non-compliant company to court if it was unable to secure compliance via dialogue with the company in question.

In keeping with the changes outlined above, under the new Section 35B of CA98 introduced by the Act, the CMA now has the power to impose fixed penalties of **up to 5% of global turnover** and/or **daily penalties of up to 5% of the company's global daily turnover** when it identifies breaches of commitments.

This also applies to **breach of undertakings**, for example, in cases where parties agree undertakings with the CMA in order to close a merger investigation (which is reflected in the new Section 94AA of EA02).

Mergers

Finally, alongside changes to the jurisdictional thresholds entitling the CMA to investigate a merger (see further in the Merger Control Section in Part 2), the DMCC Act now also limits the ability of foreign states to own or control UK print media. From a procedural perspective, it similarly enhances the CMA's fining powers for failure to respond to information requests or for providing false or misleading information in connection with merger enquiries.

Private enforcement – what's changing?

Part 2 of the Act also includes some changes that impact the private enforcement regime and Competition Appeal Tribunal (CAT) litigation. While there has been no dramatic shake-up of the private enforcement regime under the Act, there are some notable changes:

- **Exemplary damages**

  The Act also gives the CAT discretion to award exemplary damages in particularly egregious cases. Exemplary damages are designed to be punitive, to discourage wrongdoers from profiting from their infringements and to enable claimants to recover losses over and above the actual harm suffered due to the underlying competition law breach. Note that exemplary damages cannot be awarded in collective proceedings.

- **Declaratory relief**

  The Act also gives the CAT power to grant declaratory relief in individual or collective claims arising from competition law infringements. This is designed to help claimants who simply require a judicial declaration of how the law applies to the facts of the case without needing to make an application for an injunction or claim for damages.

- **PACCAR and damages-based agreements**

  The DMCC Bill had, at an early stage of the parliamentary process, sought to resolve, to an extent, some of the issues raised in the landmark PACCAR Supreme Court ruling about damages-based agreements (DBAs). The implications of this ruling, bringing passive funding arrangements within the definition of 'claims management services', are significant to the funding of class actions and, in turn, have far-reaching consequences for public access to justice. It was therefore suggested that the DMCC Bill should include a provision that would partially reverse the PACCAR judgment by allowing DBAs to opt out of collective proceedings heard in the CAT, but only when used by litigation funders. However, this proposal was superseded by proposals for separate legislation on litigation funding to remedy the potential chilling effect of the judgment on such arrangements.

Part 2

Merger Control

With the CMA investigating significantly more mergers following Brexit, the merger control reform aspects of the Act refocus the CMA's efforts on ensuring scrutiny of transactions with the most potential to harm UK competition.

The Act aims to achieve this refocus through a combination of deregulation of general merger control requirements (to capture fewer benign deals) and new regulatory measures that seek to address gaps in current jurisdictional thresholds. The perceived gaps concern potentially problematic mergers between current non-direct competitors operating in different supply chain segments or adjacent markets (vertical and conglomerate mergers).

What are the key principles of the UK merger control regime?

Before we look at the changes under the DMCC Act, here's a quick refresher on what the regime looked like before it was enacted.

The UK merger control regime is voluntary and non-suspensory, meaning that there is no legal requirement to notify a merger to the CMA prior to completion, and parties are not prevented from completing and implementing a transaction in advance of receiving merger clearance from the CMA. The voluntary aspect of the regime is a crucial factor in ensuring that the CMA only investigates a small portion of mergers so as to allow minimum interference with UK businesses and lower costs for the CMA.

Except in respect of mergers with national security considerations or other narrow public interest dimensions, for the CMA to have jurisdiction under previous merger control rules, it must be anticipated that two enterprises will cease to be distinct (typically, this is because one business acquires another) and, either:

a. The business that is being acquired must have a UK turnover of more than £70m (**the Turnover Test**); or

b. The merger would result in the creation or enhancement of at least a 25% share of the supply of particular goods or services in the UK or a substantial part of the UK (**the Share of Supply Test**).

As regards the Share of Supply Test, to qualify, the merger must result in some increment to the share of supply, however widely or narrowly the relevant frame of reference is drawn; it is not enough, currently, for one party to have a share of 25% or more if the other party has none.

Target turnover threshold increases

The Act amended the general jurisdictional thresholds for mergers so that the **threshold for the Turnover Test has increased from £70m to £100m**.

This is an effort to bring fewer benign cases within the CMA's jurisdiction and reduce unnecessary burdens for businesses when carrying out mergers that are unlikely to impact competition. It is reflective of a much-needed update to allow for inflation (noting the £70m turnover threshold has been in place since it was introduced in 2003).

The Share of Supply Test has remained unchanged by the Act save in respect of "killer acquisitions" (page 9).

Safe harbour

A new "safe harbour" has also been introduced by the Act, meaning that mergers will be exempt (regardless of share of supply) where no party to the merger has more than a £10m UK turnover.

This change aims to strengthen the CMA's ability to reliably capture potentially problematic transactions while reducing the burden on (smaller-sized) mergers considered less likely to be harmful. This measure will offer welcome certainty to smaller businesses seeking to merge.

What about public interest interventions in media mergers?

Public interest interventions in media mergers are not affected by the increase in the Turnover Test and the introduction of a small merger safe harbour.

The Secretary of State has retained the ability to intervene in mergers where at least one of the enterprises concerned is a media or newspaper enterprise and where the target's turnover is over £70m, as well as where at least one of the enterprises concerned is a media enterprise or a newspaper enterprise and the Share of Supply Test has been met, even if none of the enterprises has a UK turnover of over £10m.

New "acquirer-focused" threshold to target "killer acquisitions"

Within the **Impact Assessment** of the reforms to merger control, it was cited that competition may have weakened since 2008 in several sectors. One of the key issues recognised by the UK Government was that "killer acquisitions" can escape CMA intervention due to gaps in current jurisdictional thresholds.

As a result of these concerns, a new jurisdictional threshold has been introduced by the Act, which appears to be directed at tackling killer acquisitions (and other mergers involving significant market players) that may harm competition in the UK. The threshold applies in the following circumstances:

- One of the parties to the merger has an existing share of supply of at least 33% of goods or services supplied in the UK or a substantial part of the UK;
- This party also has a UK turnover of over £350m; and
- A different party to the transaction (typically the target) is a UK business or body, carries on activities (or part of their activities) in the UK or supplies goods or services in the UK.

What is a killer acquisition?

A killer acquisition involves a scenario where a large firm (Firm A) acquires a small innovative firm (Firm B) in an adjacent market to the one where Firm A's main activities currently fall. The aim, and/or consequence of this acquisition may either be the elimination of Firm B (as a future rival) or the elimination of innovations that threaten Firm A.

While the larger acquiring firm in question may disagree with the deal being categorised in these terms (they may argue that the acquisition unlocks investment opportunities that would not exist otherwise), the CMA views killer acquisitions as a threat to future competition and innovation, given that they could disincentivise Firm A to pursue innovations that they would otherwise have needed to compete with Firm B as a rival. Firm A may even shut down a rival Firm B product rather than allowing it into the market, limiting the range of products available to the consumer.

Acquisitions of this nature can occur across the economy but are thought to be particularly prevalent in the pharmaceutical and digital sectors.

> "…the CMA views killer acquisitions as a threat to future competition and innovation.

Whilst the threshold does not distinguish which party must have the 33% share supply, in practice, the new threshold is more likely to apply to acquirers (and this is reflected in various supporting documents, including the Explanatory Notes to the DMCC Bill that refer to this as an acquirer-focussed threshold).

This 33% share of supply threshold crucially differs from the general Share of Supply Test in that it does not require any increment in the share of supply as a result of the proposed merger – i.e., there does not need to be any overlap in terms of the parties' activities for a merger to be within scope of these new rules; a party can satisfy the 33% requirement in itself. This allows the CMA more reliably investigate mergers between non-direct competitors where needed.

It is estimated that the new threshold will result in 2–5 additional Phase 1 cases per year (although this may be offset by the inevitable decrease in cases after the increased target turnover threshold and, potentially to a greater degree, implementation of the safe harbour).

This new "acquirer focused" threshold is also likely to capture acquisitions by firms designated as having "Strategic Market Status" (SMS) and may also be subject to mandatory reporting (see below). These firms must, therefore, be particularly vigilant in applying these rules concurrently with general merger control requirements when engaging in merger activity.

New mandatory "duty to report" for SMS firms

In our **Digital Markets guide**, we examine when a firm would be designated as an SMS firm and some of the consequences of such designation.

One critical development is the introduction of mandatory notification obligations for SMS-designated firms where a deal meets certain control and value thresholds. Unlike standard merger control rules, this includes cases where an SMS firm simply increases its shareholding without acquiring control of the target. These new rules are designed to improve transparency and give the CMA a clearer visibility of the kind of merger activity that SMS-designated firms are engaging in.

Under the DMCC Act's new rules (and in contrast to the general voluntary UK merger control regime, which will continue to apply for mergers not meeting the relevant requirements), SMS firms will be required to report mergers (prior to completion) that result in an entity within the SMS corporate group **increasing the percentage of shares and/or voting rights** it holds in a "UK-connected body corporate" to or beyond any of the following "qualifying status" thresholds:

- from less than 15% to 15% or more;
- from less than 25% to 25% or more; and
- from 50% or less to more than 50%;

but only where the merger has a total **consideration value of "at least £25m"** for the voting or equity share (broadly defined and calculated to include direct, indirect and deferred consideration).

For joint ventures, the qualifying status requirement is 15% of shares and/or voting rights in the venture vehicle (which is expected or intended to be classed as a UK-connected body corporate) will be held by an entity within the SMS corporate group. The value of consideration contributed to the joint venture (including capital and assets) must also be at least £25m to trigger the reporting duty.

What is a UK-connected body corporate?

Note, for both categories of reportable event (target and joint venture) a body corporate is UK-connected if it, or any of its subsidiaries, carries on activities in the UK or supplies goods or services to any person in the UK.

Mergers involving SMS firms that meet the above criteria will need to be reported to the CMA in a prescribed form before completion (or establishment of the relevant joint venture vehicle). The report submitted will likely be less detailed than a full merger notice, but must give the CMA adequate information to decide whether to open a Phase 1 merger investigation or make an initial enforcement order. Following receipt of the report, the CMA will have five working days to confirm if it accepts that it is sufficient.

Following acceptance, there is a further five working day "waiting period" (beginning with the first working day after notice of acceptance) during which the deal cannot be completed.

If an SMS firm fails to notify a reportable merger without a reasonable excuse, the CMA can impose fines of up to 10% of the firm's worldwide turnover under Part 1 Chapter 7 of the Act.

> …these new rules are deigned to give the CMA a clearer visibility of the kind of merger activity that SMS-designated firms are engaging in.

Procedural changes

The Act has also introduced several procedural changes to the UK merger control regime:

Enhancement of the fast-track procedure

On the merging parties' request, a Phase 2 reference can be fast-tracked without any acceptance of, or investigation into, the existence of a substantial lessening in competition (**SLC**) or Phase 1 investigation.

This may be particularly useful in allowing parties to receive a quicker outcome where the potential for a merger to create an SLC is high (and therefore likelihood of a Phase 2 investigation is high) for instance when it involves two firms with a large market share.

This should streamline merger review procedures and timelines by removing certain statutory duties on the CMA that currently limit the usefulness of the existing non-statutory fast-track procedure.

Timeline extension

The Enterprise Act 2002 has been amended to enable the CMA and parties to mergers or public interest mergers to mutually agree to extend the statutory timeline for Phase 2 investigations (timelines currently require the CMA to publish its report within 24 weeks from the date of the merger reference) by stopping the clock.

While the legislation does not set out the specific circumstances in which the CMA and the parties involved in a merger can agree an extension, it is most likely to be useful in supporting early consideration of remedies and/or in multi-jurisdictional mergers to align case timetables where the merger is being considered overseas in parallel to the CMA's assessment.

The precise length of an extension period will need to be agreed between the CMA and the merger parties.

Online publication of merger notice

In addition to the more substantive procedural changes, the CMA must now publish merger notices online (e.g., on the CMA website) instead of in the London, Edinburgh and Belfast Gazettes.

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TLT’s competition experts

Recent experience

Advised **comparethemarket.com** throughout a 4-year long investigation brought by the CMA in relation to its use of price parity clauses in connection with its digital comparison tool, including successfully appealing a £17.9m fine in the Competition Appeals Tribunal

Advised **Ecotricity Group** during the CMA’s investigation into electric vehicle charging, which considered alleged anti-competitive exclusivity arrangements between the Electric Highway and various motorway service stations.

Advising **an industry trade association** in relation to a CMA Chapter I infringement investigation, including carrying out a large document review exercise in order to respond to a CMA statutory information request.

Advising **various individuals** during CMA director disqualification proceedings and leave to act applications, including following the nortriptyline and demolition sector cartel investigations.

Made representations to the CMA on behalf of a large consumer brand during its **Digital Advertising Market Study**, which considered the need for tighter regulation of Google and Meta’s market power in paid search advertising.

Advising **a blue light organisation** on Ofcom’s competition law investigation into the Motorola and Sepura radio handset information sharing breach.

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