

## **MARKET INVESTIGATION INTO THE SUPPLY OF PRIVATELY-FUNDED HEALTHCARE SERVICES IN THE UNITED KINGDOM**

### **Notice of acceptance of Interim Undertakings pursuant to section 157 of the Enterprise Act 2002**

1. On 4 April 2012 the Office of Fair Trading made a reference to the Competition Commission (CC) under section 131 of the Enterprise Act 2002 (the Act) concerning the supply of privately-funded healthcare services in the UK.
2. The successor body to the CC, the Competition and Markets Authority (CMA) published its report titled *Private Healthcare Market Investigation* on 2 April 2014 (the Report).
3. In the Report, the CC concluded that:
  - (a) there are features of the markets for privately-funded healthcare services which each (and, in certain circumstances, in combination) prevent, restrict or distort competition, and thereby have an adverse effect on competition (AEC);
  - (b) the CMA should take action to remedy, mitigate or prevent the AECs and detrimental effects flowing from them and to that end Undertakings should be given to give effect to the CC's decision on remedies specified in the report; and
  - (c) pending final determination of the market investigation the CMA will accept interim undertakings from HCA International Limited (HCA) for the purpose of preventing pre-emptive action.
4. The reference has not been finally determined in accordance with section 183(3) of the Act.
5. On 20 May 2014 HCA gave Interim Undertakings to the CMA.
6. The CMA, under section 157 of the Act, accepts the Interim Undertakings, a copy of which is attached to this Notice, to prevent action being taken which might impede the taking of any action by the CMA under section 138(2) of the Act. The Undertakings come into force accordingly.

Roger Witcomb  
*Group Chairman*  
20 May 2014