

**Notice of intention to release undertakings given by Barclays Bank plc, HBSC Bank plc, Lloyds TSB Bank plc and the Royal Bank of Scotland Group plc (the parties) to the Secretary of State for Trade and Industry and the Chancellor of the Exchequer pursuant to section 88 of the Fair Trading Act 1973**

1. The Competition and Markets Authority (CMA) has a statutory duty to keep under review undertakings given under the Fair Trading Act 1973.<sup>1</sup> The CMA is required to consider whether, by reason of any change of circumstances, an undertaking is no longer appropriate and needs to be varied, superseded or released.
2. The parties provided these undertakings in 2002 with a view to remedying concerns outlined in the [Competition Commission's \(CC\) 2002 report into SME banking](#).<sup>2</sup> These are known as the [Transitional Undertakings](#) and together with the Behavioural Undertakings and Switching Undertakings accepted in 2002 and 2003 are known as the 2002 SME Banking undertakings (the undertakings).
3. In November 2014, a Group comprising the CMA panel members conducting the retail banking market investigation commenced a review of the undertakings.
4. The CMA published a provisional decision on the review of the undertakings on 17 May 2016 and took into consideration the responses received to its provisional decision in reaching its [final decision](#), which was published on 9 August 2016.
5. For the reasons given in its final decision of the Review of the 2002 SME banking undertakings, the CMA has concluded that the parties should be released from the Transitional Undertakings.
6. The CMA now gives notice of its intention to release the parties from the Transitional Undertakings.

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<sup>1</sup> Section 88(4) of the Fair Trading Act 1973 (as preserved in Schedule 24 of the Enterprise Act 2002).

<sup>2</sup> The undertakings were reviewed by the CC in 2007 and the transitional undertakings were released, with the exception of undertaking 11, which required four banks to notify the OFT (and subsequently the CMA after 1 April 2014), and to publish, all increases in charges and all new charges.

7. The CMA invites written representations in relation to the intention to release the parties from the Transitional Undertakings from any person or persons who wish to comment. Representations should reach the CMA by **5pm on Tuesday 30 August 2016** and should be addressed to: Project Manager, Retail Banking Investigation, Competition and Markets Authority, Victoria House, Southampton Row, London WC1B 4AD, or by email to [Retailbanking@cma.gsi.gov.uk](mailto:Retailbanking@cma.gsi.gov.uk).
8. Before releasing the parties from the Transitional Undertakings, the CMA will have regard to any representations made in response to this Notice.

*(signed)*  
ALASDAIR SMITH  
*Group Chairman*  
10 August 2016