

BUSINESS IMPACT TARGET – NON-QUALIFYING REGULATORY PROVISIONS REPORT

Regulator: Groceries Code Adjudicator (GCA)

Business Impact Target Reporting Period Covered: 8 May 2015 to 8 June 2017

Excluded Category	Summary of measure(s), including any impact data where available
A – EU and International	No activities/actions
B – Economic Regulation	No activities/actions
C – Price Control	No activities/actions
D - Civil Emergencies	No activities/actions
E – Fines and Penalties	No activities/actions
F – Pro-Competition	No activities/actions
G – Large Infrastructure projects	No activities/actions
H – Misuse of Drugs/National Minimum Wage	No activities/actions
I – Systemic Financial Risk	No activities/actions
K – Industry Codes	No activities/actions
L1 – Casework	GCA investigations are cross-sector and prompted by issues of significant impact and strategic importance, so are not what would normally be described as Casework. However given the description given in the BRE guidance under this category, the GCA can report having conducted one investigation and published a full report on her conclusions: GCA Investigation into Tesco plc 26 January 2016. The GCA found that Tesco had acted in breach of the Groceries Supply Code of Practice (the Code) and made recommendations using the enforcement powers available at the time of the investigation.
L2 – Education, communications and promotion	<p>In addition to general information and promotional material such as newsletters, the GCA published four documents in response to concerns raised by suppliers and regulated retailers. These are all educational documents which seek to clarify existing requirements and provide greater certainty to business. They do not place any burden of regulation on business or create a new regulatory standard that businesses will be expected to follow.</p> <ol style="list-style-type: none">1. Forecasting best practice statement (23 March 2016)2. Code clarification case study: requests for lump sum payments (20 June 2016)3. Supplementary De-listing “guidance” for the fresh produce sector (2 August 2016)

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	4. Consumer complaints best practice statement (13 December 2016)
L3 – Activity related to policy development	<p>The GCA published a consultation and the outcome of that consultation following the investigation into Tesco plc which uncovered a range of practices relating to payments for better positioning of goods under paragraph 12 of the Groceries Supply Code of Practice (the Code). Responses helped the GCA understand how widespread these practices were, what forms they take, their impact on suppliers and their effect on competition and consumer choice. The response document summarised responses received and set out the GCA’s conclusions</p> <ol style="list-style-type: none"> 1. Consultation – paragraph 12 payments for better positioning (27 June 2016) 2. Consultation outcome – paragraph 12 payments for better positioning (7 February 2017)
L4 – Changes to management of regulator	No activities/actions