

Proposed amendment to CMA Rules of Procedure for Merger, Market and Special Reference Groups (CMA17) to correct published errors

The CMA has identified some errors made when publishing *CMA Rules of Procedure for Merger, Market and Special Reference Groups* (CMA17) on the CMA webpage on 28 March 2014 and accordingly proposes to correct these by amending CMA17 as published on the CMA webpage.

Paragraphs 18.1 and 18.2 as published by the CMA on 28 March 2014 stated:

- 18.1 The rules in Parts 1, 2, 4, 5 and 6 shall apply to the procedure of special procedure groups.
- 18.2 Instead of complying with Part 3, special reference groups shall determine their own procedures for findings on the reference, but when doing so they shall have regard to any guidance issued by the CMA Board under paragraph 52(1) of Schedule 4 to the ERR Act.

These paragraphs should have read:

- 18.1 The rules in Parts 1, 2, 3, 5 and 6 shall apply to the procedure of special reference groups.
- 18.2 Instead of complying with Part 4, special reference groups shall determine their own procedures for findings on the reference, but when doing so they shall have regard to any guidance issued by the CMA Board under paragraph 52(1) of Schedule 4 to the ERR Act.

The corrected text above:

- (a) corrects a typographical error in paragraph 18.1 to now refer properly to 'special reference groups', rather than 'special procedure groups'; and
- (b) otherwise now reflects the text of the draft rules that the CMA consulted upon in the consultation document *Rules of procedure for CMA groups* (CMA17con), paragraphs 16.1 and 16.2 of the draft rules annexed to that consultation, and which contemplated the CMA adopting equivalent rules of procedure to those of the predecessor body to the CMA, the Competition Commission (CC1).

In response to that consultation, the CMA received no comments relevant to rule 18.

Having regard to the lack of comment in the above consultation, the CMA now gives notice that it proposes to amend the text of CMA17 to reflect the corrected text above, to have effect from 23 November 2015. If you have any comments on this proposal, please contact the CMA at guidance@cma.gsi.gov.uk by 5pm on Wednesday, 18 November 2015.

13 November 2015