

Dear Sir/Madam,

We are responding to the above consultation, adopting your numbered questions below.

Q2. Is the draft guidance sufficiently comprehensive? Does it have any significant omissions?

At paragraph 6.8 of the BEIS guidance, we would suggest that it might assist businesses and advisors if the relevant Government contacts were set out in an Annex. With only three key fields of activity, we would expect that a list of reasonable proportion could be established. The ability to contact and discuss at an early stage with the right Government contact whether an activity qualifies under the amended regime would look particularly important. An Annex of relevant contacts would facilitate that important “early” communication.

Q3. Do you have any other comments on the draft guidance?

We wonder whether the two separate (CMA and BEIS) guidance documents could not be combined. While we can see that from a Government perspective, there are different organs with differing roles, from the user perspective (businesses and advisors), a single body of guidance would be preferable. Although well written and presented, the two documents in aggregate are just a few pages shy of 60 in total. A single document would permit greater brevity and ease of use (as well as the removal of duplication between the two current texts).

We trust that the above comments are helpful.

With best regards,

Mayer Brown Europe-Brussels LLP