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Dear Andrea,

Competition and Markets Authority (CMA) consultations on the Office for the Internal Market.

Thank you for your letter of 16 June seeking views on the CMA's draft Statement of Policy on the enforcement of the information-gathering powers of the Office for the Internal Market (OIM). I am responding to both this consultation and the CMA's draft guidance setting out your approach the exercise of its UK internal market functions.

The UK Internal Market Act 2020 (the Act) was introduced to protect businesses, jobs, and livelihoods by ensuring there are no harmful new barriers to trade between all parts of the UK. The OIM will play a key role in supporting our market by monitoring, reporting, and advising on its health.

The Government is therefore supportive of the general approach set out in the CMA's draft guidance. The Act enables the OIM to take a comprehensive overview of issues impacting on the operation of the UK internal market and I encourage the OIM to take a flexible and proportionate approach to assessing market trends, issues and regulatory developments taking place within the UK's internal market.

The UK Government and the devolved administrations will be able to draw upon the OIM's impartial, expert reports on the operation of the UK internal market. To facilitate good policymaking and constructive intergovernmental engagement, the Government believes it is therefore important that the OIM's assessments consider the state of the UK internal market as a whole – including in areas in which the market access principles set out in the Act do not apply.

I am pleased that the OIM is working to ensure that assessments are based on robust and up-to-date evidence and that it remains responsive to the views of stakeholders.

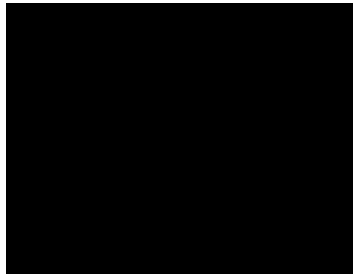
I also welcome the OIM's intention to develop a toolkit to improve access to intra-UK trade data and its ambition to become a centre of expertise in monitoring the economic impact of regulation across the UK.

As you note, the Government is consulting on the maximum penalties available to the OIM for failure to comply with information requests. Without prejudice to the outcome of that consultation I note the importance of the OIM having access to accurate, credible, and timely information for the purposes of exercising its statutory functions. I am therefore supportive of the approach set out in the draft Statement of Policy which recognises the importance of adopting a proportionate response informed by the specific circumstances of the case.

I welcome the constructive approach adopted the CMA on these matters and have asked my officials to continue to work with you on the draft guidance and Statement of Policy as necessary.

Finally, I would like to thank you for your continued efforts to ensure that the OIM is a success, working in the interests of all parts of the UK.

Yours sincerely



PAUL SCULLY MP

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