



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY TEMPLATE

Non-qualifying Regulatory Provisions
(NQRPs) summary reporting template

Regulator: Competition & Markets Authority

Business Impact Target Reporting Period Covered: 17 December 2020 and 16 December 2021

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)	<p>Competition enforcement guidance</p> <p>Environmental sustainability agreements and competition law 27 January 2021</p> <p>Consultation on draft CA98 procedures guidance 10 December 2021</p> <p>Advice / guidance in relation to issues resulting from the coronavirus pandemic</p> <p>CMA open letter to package travel sector 13 May 2021</p> <p>Package holiday refunds and cancellations 14 May 2021</p> <p>Advice / guidance resulting from the CMA's other casework</p> <p>'Green' claims: CMA sets out the dos and don'ts for businesses 21 May 2021</p> <p>Fertility treatment: A guide for Clinics 10 June 2021</p> <p>Guidance overview: Things to know when arranging a funeral 16 September 2021</p> <p>Green claims code: making environmental claims 20 September 2021</p> <p>Compliance Principles for anti-virus software firms 19 October 2021</p> <p>Advice / guidance resulting from the creation of the CMA's new functions</p> <p>Guidance on the operation of the CMA's UK Internal Market functions 21 September 2021</p> <p>Guidance overview: Statement of Policy on the Enforcement of the OIM's Information Gathering Powers 21 September 2021</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p>Other CMA guidance or advice</p> <p>Merger and market remedies: Guidance on reporting, investigation and enforcement of potential breaches 29 January 2021</p> <p>Groceries Market Investigation (Controlled Land) Procedures Guidance 30 March 2021</p> <p>Compendium of approaches to improving competition in digital markets 29 November 2021</p> <p>The CMA’s licence modification appeal rules and guidance 7 December 2021</p>
<i>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement</i>	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
<i>Measures certified as concerning EU Withdrawal Bill operability measures</i>	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Pro-competition	Activity in this area is reported under the casework exemption, below.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Casework	Competition and consumer enforcement work in relation to non-compliant individual businesses falls under the casework exclusion in line with ensuring operational independence.

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p>Competition enforcement</p> <p>During the reporting period we launched, reached a significant milestone in or closed 17 separate anti-trust and civil cartel enforcement cases.</p> <p>Anti-trust</p> <p>Cases launched</p> <ul style="list-style-type: none"> • Google's 'Privacy Sandbox' browser changes Launched: 7 January 2021 • Apple AppStore Launched: 3 March 2021 • Facebook's use of data Launched: 3 June 2021 • Electric vehicle chargepoints on or near motorways Launched: 22 July 2021 • Capacity sharing agreement between P&O Ferries and DFDS Launched: 11 November 2021 <p>Cases closed</p> <ul style="list-style-type: none"> • Lithium-based medication Decision to accept commitments: 18 December 2021 • Hydrocortisone Infringement decision: 15 July 2021 • Liothyronine Infringement decision: 29 July 2021 • Nitrofurantoin Closed on administrative priority grounds: 8 October 2021 <p>Other significant milestones</p> <ul style="list-style-type: none"> • Prochlorperazine Administrative priorities decision: 22 January 2021 • Price comparison website Notice of appeal: 3 February 2021 • Nortriptyline Competition Appeal Tribunal judgment: 25 February 2021

Excluded Category*	Summary of measure(s), including any impact data where available**
	<ul style="list-style-type: none"> • Electronic drum sector Competition Appeal Tribunal judgment: 19 April 2021 • Paroxetine Competition Appeal Tribunal judgment: 10 May 2021 • Google’s ‘Privacy Sandbox’ browser changes Consultation on commitments: 11 June 2021 • Phenytoin Statement of Objections: 5 August 2021 • Domestic Lighting Statement of objections: 16 December 2021 <p>Cartel investigations</p> <p><i>Cases launched</i></p> <ul style="list-style-type: none"> • The sale of Leicester City FC-branded products and merchandise Launched: 23 September 2021 <p><i>Cases closed</i></p> <p>There were no cartel cases closed in the period.</p> <p>Consumer Enforcement</p> <p>During the reporting period we launched, reached a significant milestone in or closed 12 separate cases using our Consumer Enforcement powers.</p> <p><i>Cases launched</i></p> <ul style="list-style-type: none"> • COVID-19: package holidays (Teletext Holidays) Launched: 4 February 2021 • Groupon Launched: 12 April • COVID-19: lockdown flight refunds Launched: 9 June 2021 • PCR testing (Dante labs and Expert Medicals) Launched: 3 and 24 September <p><i>Cases closed</i></p> <ul style="list-style-type: none"> • COVID-19: lockdown flight refunds Closed: 7 October 2021 <p>Other significant milestones</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<ul style="list-style-type: none"> <li data-bbox="616 275 1374 342">• Misleading environmental claims Guidance for businesses published: 20 September <li data-bbox="616 383 1023 450">• Self-funded IVF Guidance published: 10 June 2021 <li data-bbox="616 490 1278 557">• Online reviews Cases into Amazon and Google launched: 25 June 2021 <li data-bbox="616 598 1350 698">• Fake and misleading online reviews trading Further action from Facebook to combat fake and misleading online reviews: 9 April 2021 <li data-bbox="616 739 1318 884">• Care homes Claim discontinued against Barchester: 13 August 2021 Consumer law advice suspended: 13 August 2021 Revised Consumer law advice published: 8 December 2021 <li data-bbox="616 925 1286 992">• Secondary ticketing websites CMA recommendations to government: 16 August 2021 <li data-bbox="616 1032 1318 1099">• Leasehold Undertakings announced: 23 June and 15 September 2021 <li data-bbox="616 1140 1238 1207">• Anti-virus software Undertakings announced: 25 May and 14 June 2021 <li data-bbox="616 1247 1118 1314">• Groupon Undertakings announced: 8 October 2021 <li data-bbox="616 1355 1334 1534">• COVID-19: Package holidays Letter before action (Lastminute.com): 12 February 2021 Undertakings announced (TUI UK): 13 May 2021 Undertakings announced (Teletext Holidays): 26 May 2021 Legal proceedings filed (Teletext Holidays): 18 October 2021 <li data-bbox="616 1574 1374 1641">• PCR testing (Randox) Changes secured to its terms and conditions: 3 December 2021 <p data-bbox="616 1682 975 1715">Warning and Advisory letters</p> <ul style="list-style-type: none"> <li data-bbox="616 1756 1366 1935">• During the reporting period, we issued 29 advisory letters (relating to 5 cases and complaints) and 28 warning letters (relating to 21 cases and complaints) to businesses where we had concerns about possible law breaking and to promote compliance.

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p>A register of advisory and warning letters can be found here: https://www.gov.uk/government/publications/competition-law-warning-and-advisory-letters-register</p> <p>Merger control</p> <p>Under the merger control regime, the CMA considers the facts and circumstances specific to the case under the relevant statutory tests. The outcome of each case is in relation to the individual companies related to the merger in question. The CMA cannot set policy for markets through our mergers work. During the reporting period:</p> <ul style="list-style-type: none"> • At Phase 1, we made 6 references to Phase 2, 31 unconditional clearances, 2 de minimis clearance and 3 sets of Undertakings in Lieu of a Reference decision. 1 case resulted in a report to the DCMS Secretary of State under public interest grounds (and a referral to phase 2). 2 cases were found not to qualify. 7 cases were ongoing at the end of the reporting period (5 of which are currently awaiting a final outcome where an SLC has been found). • At Phase 2, we cleared 1 case and found a substantial lessening of competition (SLC) in 5 cases (which included 2 remittals). 1 case was abandoned. From the cases where we found an SLC there were 3 prohibitions and 2 impositions of remedies by divestment. 5 cases were ongoing at the end of the reporting period. • A register of orders and undertakings that are currently in force, have lapsed and have been varied or released can be found here: www.gov.uk/government/publications/mergers-orders-and-undertakings. <p>Market reports</p> <p>During the reporting period, we launched, reached a significant milestone in or published our final report in 5 separate projects.</p> <p>Cases launched</p> <p>Children's social care study Launched: 12 March 2021</p> <p>Mobile ecosystems market study Launched: 15 June 2021</p> <p>Mobile radio network services Launched: 25 October 2021</p>

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	<p>Cases closed Electric vehicle charging market study Final report: 23 July 2021</p> <p>Other significant milestones Funerals Final report: 18 December 2021 Publication of the Market Investigation Order: 21 July 2021</p> <p>Mobile ecosystems market study Interim report: 15 December 2021</p> <p>Regulatory appeals</p> <p>During the reporting period, we undertook an appeal or made a determination (provisional or final) in 3 projects.</p> <p>Cases launched Energy licence modification appeals CMA decision on permission to appeal: 31 March 2021</p> <p>Cases closed Ofwat price determinations Final report summary published: 17 March 2021 Final report published: 9 April 2021</p> <p>SSE code modifications appeal Final report: 30 March 2021</p> <p>Energy licence modification appeals Final report summary published: 28 October 2021 Final report published: 1 November 2021</p> <p>Remedy Reviews We launched no remedy reviews in the period.</p>
Education, communications and promotion	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Activity related to policy development	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.