Office for the Internal Market

Summary of responses to the draft Transparency Statement consultation

29 June 2022

Office for the Internal Market

Part of the Competition and Markets Authority

© Crown copyright 2022

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence, visit www.nationalarchives.gov.uk/doc/open-governmentlicence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Contents

Page

1.	Introduction	2
2.	Overview of the consultation responses	3
Ap	pendix A: Table of BEIS's comments and OIM's responses	5

1. Introduction

- 1.1 The Competition and Markets Authority ('CMA') is the UK's primary competition and consumer authority. The CMA works to promote competition for the benefit of consumers, both within and outside the UK, to make markets work well for consumers, businesses and the economy. The Office for the Internal Market ('OIM') is a new CMA function that was created by the United Kingdom Internal Market Act 2020 ('the Act') to carry out independent advice, monitoring and reporting in support of the effective operation of the UK internal market following the return of powers from the EU to the UK Government and Devolved Administrations.
- 1.2 On 20 April 2022, we published a draft OIM Transparency Statement ('Statement') which explains our policy and approach to transparency and information disclosure in the course of carrying out our reporting, monitoring and advisory functions under Part 4 of the Act. The Statement also notes the OIM's obligations under freedom of information and data protection legislation.
- 1.3 Our consultation on the Statement closed on 18 May 2022. The Summary of Responses sets out the key issues raised by the responses, our views on these issues, and changes we have made to the Statement as a result.
- 1.4 Having considered the consultation responses and made appropriate amendments to the Statement, we have finalised and adopted the Statement. This document is published on the OIM's website. For an overview of the responses, see Chapter 2 below.

2. Overview of the consultation responses

Responses received

- 2.1 We received eight responses including a set of detailed comments (from the Department for Business, Energy & Industrial Strategy (BEIS)). All of the comments that the OIM received in relation to the draft Transparency Statement (as set out above and in Appendix A) were generally positive. A table that summarises BEIS's key points and how the OIM handled these comments can be found in Appendix A.
- 2.2 The two sets of less detailed comments are briefly summarised in paragraphs 2.3 and 2.4, below.
- 2.3 In a response from Welsh Government officials, they noted the 'OIM's approach to ensuring information is handled appropriately and to the outlined processes for handling requests' from relevant national authorities ('RNAs') and 'keeping non-requesting RNAs and stakeholders informed'. The email also describes how the Welsh Government had 'raised minor concerns previously about the resource implications for the Welsh Government in responding to and engaging in the process detailed in the Transparency Statement' and went on to state that it 'will endeavour to engage as appropriate and we encourage the OIM to continue to use official channels to communicate with the Welsh Government and provide sufficient time to allow effective dialogue.'
- 2.4 The Society of Motor Manufacturers and Traders Limited responded that it was 'pleased to see a detailed and pragmatic transparency approach set out in the draft statement and noted that most requests for information will be sought on a voluntary basis.'

Other engagement

2.5 As indicated in paragraph 1.1 of the Statement, the OIM had previously shared the Process Letter with the RNAs. The rationale for our doing so was that the Process Letter covers a number of transparency matters related to the OIM's handling of information received from the RNAs. As described in the Statement, the Process Letter forms an integral part of the Statement and is contained in Annex A of that document. We have also continued to work closely with officials from the RNAs and the Process Letter reflects inputs from these contacts.

Response

- 2.6 We have carefully reviewed the relevant sections of the Statement in light of the consultation responses received and made appropriate amends.
- 2.7 We note that the OIM will continue to use official channels to communicate with RNAs and provide sufficient time to allow for effective dialogue.
- 2.8 We also note that the OIM is a new function and we will review the Statement in light of experience after an appropriate period of operation.
- 2.9 We would like to thank all those who responded to the consultation.

Appendix A: Table of BEIS's key comments¹ and OIM's responses

Original text	Comment received	How we addressed	New ref.
engina text		comment	
		comment	
Highlighting links	hetween Transnaren	y Statement and Annex A ((Process Letter)
Introduction section	BEIS commented that	Para 1.1 was amended to	New ftn 1 (bottom of page 2)
	it thought it would be	state:	now hit i (Soutien of page 2)
	helpful for the OIM to	'This Office for the Internal	
	give a brief	Market ('OIM') statement	
	explanation in the	('Statement') sets out the	
	Introduction section of	OIM's policy and approach to	
	the relationship	transparency and information	
	between the	disclosure. <u>The Process</u>	
	Transparency	Letter, which covers a	
	Statement and Annex A (Process Letter).	number of transparency	
	A (FIOCESS Letter).	matters related to the OIM's handling of information	
	BEIS also suggested	received from RNAs, was	
	that, in order to set a	prepared and shared with the	
	wider context to the	RNAs following the OIM's	
	Statement, it would be	formal launch on 21	
	helpful in the	September 2021. It forms an	
	Introduction to refer to	integral part of this	
	the information	Statement and is contained	
	gathering powers that	in Annex A. [ftn 1]	
	the OIM has under	A new footnote 1 states: 'For	
	Part 4 of the UKIM Act.	more details on the relationship between the	
		Statement and the Process	
		Letter, see the Introduction to	
		Annex A at page 33.'	
		At the end of Chapter 1, a	
		new para 1.14 states: 'For an	
		explanation on how the OIM	
		will approach the	
		enforcement of its	
		information-gathering	
		powers, see Statement of	
		Policy on the Enforcement of	
		the OIM's Information	
		Gathering Powers.'	
Re chapter	BEIS suggested	Para 3.1. has been amended	n/a
heading: '3.	adding a 'line or two' to	to state:	
Transparency	refer to the Process	'Chapter 3 sets out guidance	
during the course	Letter in Annex A,	on how the OIM approaches	
of a project'	which it notes provides	transparency in relation to its	
	further detail on how	statutory work under Part 4	
	the OIM will handle	of the Act. For further details	
	RNAs' requests for	on how the OIM will handle	
	advice and reporting.	RNAs' requests for advice	

¹ The comments in this table are limited to key points of substance; other comments related to presentational issues or minor points have been omitted.

Being more precise in terms of describing the OIM's functions Para 1.3 'The BEIS suggested that OIM's aim is to BEIS suggested that authorities across underlined text: 'The OIM's aim is to assist national authorities arcoss the UK, through national authorities non-binding across the UK, through technical and non-binding technical economic advice, undertaking monitoring potential evolution of different regulatory regulatory the potential evolution of different regulatory approaches that they approaches that effective operation of the operation of the effective operation of the internal market. L' Being more precise when describing the OIM's governmental/Parliamentary stakeholders opara 1.6 'The term BEIS suggested ading 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer used in this in the UKIM Act) to this used in this ist of stakeholders. used in this ist of stakeholders. used in this ist of stakeholders. used in this document to refer
Being more precise in terms of describing the OIM's functions Para 1.3 'The OIM's aim is to assist national authorities across the UK, through non-binding economic advice, to manage the potential evolution of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market. []' BEIS suggested that we insert the following underlined text: 'The OIM's aim is to assist national authorities across the UK, through non-binding technical and economic advice, undertaking monitoring and periodic statutory reporting to manage the potential evolution of different they introduce in a way which protects the effective operation of the internal market. []' n/a Being more precise when describing the OIM's governmental/Parliamentary stakeholders' is used in this to businesses, customers, DIM's aim is to assist the effective of alfferent ist of stakeholders.
Being more precise in terms of describing the OIM's functions Para 1.3 'The OIM's aim is to assist national authorities across the UK, through non-binding economic advice, to manage the potential evolution of different regulatory approaches that the internal market. BEIS suggested that we insert the following underlined text: 'The OIM's aim is to assist national authorities across the UK, through non-binding technical and economic advice, undertaking monitoring and periodic statutory regulatory approaches that the internal market. Accepted amendment – added 'undertaking monitoring and periodic statutory reporting' n/a Way which protects the effective operation of the internal market. Image the undertaking monitoring and periodic statutory reporting to manage the opticatil evolution of different regulatory approaches that the internal market. Mathematicatility (]' Accepted amendment – added 'undertaking monitoring and periodic statutory reporting' n/a Being more precise when describing the document to refer to businesses, customers, BEIS suggested in the UKIM Act) to this list of stakeholders. Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional and n/a
Being more precise in terms of describing the OIM's functions Para 1.3 'The OIM's aim is to assist national authorities across BEIS suggested that we insert the following underlined text: 'The OIM's aim is to assist the UK, through non-binding technical and economic advice, to manage the potential evolution of different regulatory approaches that the jintroduce in a way which protects the effective operation of the internal market. []' Accepted amendment – added 'undertaking monitoring and periodic statutory reporting' n/a Being more precise when describing the OIM's governmental/Parliamentary stakeholders introduce in a way which protects the effective operation of the internal market. []' II]' n/a Being more precise when describing the OIM's governmental/Parliamentary stakeholders is used in this document to refer to businesses, customers, BEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this used in this document to refer to businesses, customers, n/a
Para 1.3 'The OIM's aim is to assist national authorities across the UK, through non-binding technical and of different approaches that the genetical evolution of different reporting to manage the internal market. []'Accepted amendment – added 'undertaking monitoring and periodic statutory reporting'n/aPara 1.3 'The outhouties across the UK, through non-binding technical and economic advice, to manage the updertaking monitoring approaches that the effective operation of the interoduce in a way which protects the effective operation of the internal market. []'Accepted amendment – added 'undertaking monitoring and periodic statutory reporting to manage the potential evolution of different regulatory approaches that the effective operation of the internal market. []'// Comparison effective operation of the internal market. []'// Comparison approaches that the internal market. []'Para 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this used in this document to refer to businesses, customers, professional andn/a
OIM's aim is to assist national authorities across the UK, through non-binding technical and economic advice, to manage the undertaking monitoring and economic advice, to manage the undertaking monitoring and periodic statutory reporting to manage regulatory they introduce in a way which protects the effective operation of the internal market.added 'undertaking mon-binding technical and economic advice, undertaking monitoring and periodic statutory reporting to manage the potential evolution of different regulatory they introduce in a way which protects the effective operation of the internal market.added 'undertaking monitoring added 'undertaking monitoring and periodic statutory reporting'Being more precise vasa in this document to refer to businesses, customers,BEIS suggested adding 'public atkeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
assist national authorities across the UK, through non-binding technical and economic advice, to manage the potential evolution of different regulatory they introduce in a way which protects the effective operation of the internal market. []'underlined text: 'The OIM's aim is to assist non-binding technical and economic advice, undertaking monitoring and periodic statutory the potential evolution of different regulatory they introduce in a way which protects the internal market. []'monitoring and periodic statutory regulatory approaches that the internal market. []'Being more precise taskeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,Mathematical taskeholders.n/a
authorities across the UK, through non-binding technical and economic advice, to manage the potential evolution of different reporting to manage regulatory the potential evolution of different reporting to manage regulatory the potential evolution of different regulatory the potential evolution of different regulatory the effective which protects the internal market.statutory reporting'Being more precise when describing the vaden in this document to refer to businesses, customers,BEIS suggested authorities' (as stated in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6 the term stakeholders' is used in this authorities' (as stated in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
the UK, through non-bindingnational authorities across the UK, through non-binding technical and economic advice, and economic advice, and periodic statutory and periodic statutory of different reporting to manage regulatory approaches that the potential evolution approaches that the effective operation of the internal market.undertaking monitoring and periodic statutory of different regulatory approaches that the potential evolution of different regulatory approaches that the effective operation of internal market.of different regulatory approaches that the internal market.[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholders adding 'public authorities' (as stated in the UKIM Act) to this to businesses, customers,Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this authorities' (as stated in the UKIM Act) to thisn/a
non-binding technical andacross the UK, through non-binding technicaland conomic advice, to manage the potential evolutionand economic advice, undertaking monitoring and periodic statutory reporting to manage regulatoryundertaking monitoring and periodic statutory reporting to manage the potential evolution approaches that they introduce in a way which protects the effective operation of the internal market.of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.introduce in a way which protects the effective operation of the internal market.Para 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public is of stakeholders.Added 'public authorities' to refer to businesses, customers, professional andn/a
technical andnon-binding technical and economic advice, to manage the undertaking monitoring and periodic statutory reporting to manage regulatory approaches that the potential evolution of different regulatory approaches that way which protects the effective operation of the internal market.non-binding technical and economic advice, undertaking monitoring and periodic statutory reporting to manage the potential evolution of different regulatory approaches that the potential evolution of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.non-binding technical adding 'public adding 'public adding 'public adding 'public in the UKIM Act) to this list of stakeholders.Name stakeholders' is used in this document to refer to businesses, customers,n/a
economic advice, to manage the potential evolution of differentand periodic statutory reporting to manage the potential evolution of differentand periodic statutory reporting to manage the potential evolution of different regulatory approaches that they introduce in a way which protects the effectiveand periodic statutory of different regulatory approaches that they introduce in a way which protects the effectiveof different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.of different regulatory approaches that they introduce in a way which protects the effective operation of internal market.of different regulatory approaches that they introduce in a way which protects the effective operation of internal market.of different regulatory adding 'publicand way wayBeing more precise when describing the OIM's governmental/Parliamentary stakeholdersn/aPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
to manage the potential evolution of differentundertaking monitoring and periodic statutory reporting to manage regulatoryand periodic statutory reporting to manage regulatoryapproaches that way which protectsof different regulatory approaches that they introduce in a way which protectsof different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.of different regulatory approaches the introduce in a way which protects the effective operation of the internal market.[]'Esing more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, ustor in the UKIM Act) to this list of stakeholders.Added 'public authorities' is used in this document to refer to businesses, customers, professional and
potential evolution of different regulatory approaches that the potential evolution of different regulatory they introduce in a way which protects the effective operation of the internal market. []'and periodic statutory reporting to manage the potential evolution approaches that they introduce in a way which protects the internal market. []'approaches that they introduce in a way which protects the effective operation of the internal market. []'approaches that they introduce in a way which protects the effective operation of the internal market. []'of different regulatory away which protects the effective operation of the internal market. []'of different regulatory away which protects the effective operation of the internal market. []'of different regulatory away which protects the effective operation of the internal market. []'Para 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this used in this document to refer to businesses, customers, professional andn/a
of different regulatoryreporting to manage the potential evolutionapproaches that approaches thatof different regulatory approaches that they introduce in a way which protectsway which protects the effective operation of the internal market.approaches that they introduce in a way which protects the effective operation of the internal market.[]'[]'Being more precise when describing the 'stakeholders' is used in this to businesses, customers,Added 'public authorities' to para 1.6 'the term in the UKIM Act) to this list of stakeholders.Para 1.6in the UKIM Act) to this list of stakeholders.ist of stakeholders. customers,in the UKIM Act) to this customers, professional and
regulatory approaches that they introduce in a way which protects the effective operation of the internal market.the potential evolution of different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.[]'[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
approaches that they introduce in a way which protects the effectiveof different regulatory approaches that they introduce in a way which protects the effective operation of the internal market.introduce in a way which protects the effective operation of the internal market.[]'[]'Being more precise when describing the stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
they introduce in a way which protectsapproaches that they introduce in a way which protects the effective operation of the internal market.approaches that they introduce in a way which protects the effective operation of the internal market.[]'Eeing more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
way which protects the effective operation of the internal market.introduce in a way which protects the effective operation of the internal market.[]'Eeing more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
the effective operation of the internal market.which protects the effective operation of the internal market.[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
operation of the internal market.effective operation of the internal market.[]'effective operation of the internal market.[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional andn/a
internal market.the internal market.[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The termBEIS suggested adding 'public authorities' (as stated document to refer to businesses, customers,Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
[]'[]'Being more precise when describing the OIM's governmental/Parliamentary stakeholdersPara 1.6 'The term 'stakeholders' is used in this document to refer to businesses, customers,BEIS suggested adding 'public in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
Para 1.6 'The term 'stakeholders' is used in thisBEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
Para 1.6 'The term 'stakeholders' is used in thisBEIS suggested adding 'public authorities' (as stated in the UKIM Act) to this list of stakeholders.Added 'public authorities' to para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers,n/a
'stakeholders' is used in this document to refer to businesses, customers,adding 'public authorities' (as stated in the UKIM Act) to this list of stakeholders.para 1.6, which now states: 'The term 'stakeholders' is used in this document to refer to businesses, customers, professional and
used in this document to refer to businesses, customers,authorities' (as stated in the UKIM Act) to this list of stakeholders.'The term 'stakeholders' is used in this document to refer to businesses, customers, professional and
document to refer to businesses, customers,in the UKIM Act) to this list of stakeholders.used in this document to refer to businesses, customers, professional and
to businesses, list of stakeholders. refer to businesses, customers, customers, professional and
professional and trade associations business
ן וומעל מסטטומוטווס, אעטווופסט
trade associations, and consumer organisations,
business and government bodies,
consumer regulators, <u>public authorities</u>
organisations, and/or other interested and
government informed third parties.'
bodies, regulators
and/or other
interested and
informed third
parties.' Para 2.6: BEIS suggested that Amendments accepted n/a
Para 2.6:BEIS suggested thatAmendments acceptedn/a'Transparencywe insert the following
plays a central role underlined text:
in allowing the 'Transparency plays a
public, Parliament central role in allowing
and the devolved the public, the UK
administrations to Parliament and
hold the OIM to devolved legislatures,
account. The OIM and governments to
is accountable to hold the OIM to
the public through account. The OIM is
Parliamentary accountable to the
scrutiny in public through
Westminster and Parliamentary scrutiny
the devolved in Westminster and the
administrations, for devolved
example through administrations, for
inquiries by select example through committees.'

	inquiries by select		
	committees.'		
	ntability to stakeholde		
2.4 'Providing clear information about	BEIS suggested that we insert the following	Amendment accepted – added 'and the confidence of all its stakeholders in the	Re new ftn 10 (bottom of page 6)
its work also enhances the	underlined text: 'Providing clear	work it undertakes.'	
visibility of the OIM,	information about its	work it undertakes.	
thereby increasing	work also enhances	The second comment is	
its impact and	the visibility of the	noted.	
accountability'	OIM, thereby		
	increasing its impact		
2.5 'The OIM aims	and accountability, and		
to achieve	the confidence of all its		
transparency in its work by:	stakeholders in the work it undertakes.'		
3 rd bullet pt:	work it undertakes.		
usually placing	BEIS also commented		
announcements on	that it believes		
the OIM's website	footnote 8 (the new		
when a section	footnote 10 in the final		
33(1) review has been launched or a	Statement) means that announcement of a		
request for a report	request and/or		
under sections 34-	advice/report to a		
36 has been	national authority		
accepted.' [ftn 8]	would not be		
Ftn 8: 'This would	announced/ published		
not apply to a	to protect the		
request for advice under section 34 of	confidentiality of the policy development		
the Act. The Act	process.		
places a statutory	p100000.		
obligation on the			
OIM to publish			
section 34 reports			
only (see section			
34(10)). But there is no obligation,			
under the Act, to			
publish section 34			
advice. It follows			
that, as well as not			
usually publishing			
section 34 advice, the OIM will not			
usually publish the			
fact that it has			
received a request			
for such advice.'			
Para 3.31 'As well	BEIS suggested that	Amendment accepted –	n/a
as being necessary	we insert the following	added 'and building	
to meet specific	underlined text: 'As	confidence with its	
obligations placed on it by the Act,	well as being necessary to meet	stakeholders'	
publication of	specific obligations		
reports is a means	placed on it by the Act,		
of enhancing the	publication of reports		
visibility of the	is a means of		
OIM's completed	enhancing the visibility		
work and of	of the OIM's		

			I
widening its impact,	completed work and		
as well as enabling	building confidence		
interested persons	with its stakeholders,		
to hold the OIM to account.'	and of widening its impact, as well as		
account.	•		
	enabling interested		
	persons to hold the		
	OIM to account.'		
		e OIM's statutory reports	Now the AA (bottom of more
Para 3.32: 'On	BEIS commented on	Added new footnote 41 after	New ftn 41 (bottom of page
completing a piece	the second link	second link to the OIM's	16)
of work which was	referencing the OIM's	website stating:	
announced at	website: it noted that,	'As required, reports should	
launch, the OIM will	'as required, reports	be laid in the UK and	
publish the	should be laid in the	devolved legislatures as	
outcome on the OIM's website and	UK and DA	indicated in paragraph 3.34.'	
	legislatures as indicated in para 3.34'.	(The term 'develved	
usually issue a press notice with a	indicated in para 3.34.	(The term 'devolved legislatures' has been used	
link to the relevant		instead of 'DA legislatures' to	
		assure consistency with para	
pages on the OIM's website.'		2.6)	
Para 2.9: The OIM	BEIS suggested that	Amendment accepted –	New ftn 17 (bottom of page 8)
will also publish	BEIS suggested that we insert the following	added 'statutory'.	
information in	underlined word: 'The	added statutory.	
regular reports put	OIM will also publish	A new footnote 17 has been	
out either by the	information in regular	added that states:	
OIM itself or by the	statutory reports [].'	'In March 2022, the OIM also	
CMA. The OIM	statutory reports [].	published a discretionary	
must, by 31 March	BEIS also commented	report, Overview of the UK	
<u>2023</u> , and	that, for the sake of	Internal Market. The report	
following that at	completeness, it would	sets out an economic	
least once every	be helpful for the OIM	overview of the UK internal	
year, prepare an	to add a footnote	market, drawing on a review	
annual report on:	referring to the	of intra-UK trade data and	
	Overview of the	business survey findings,	
	Internal Market,	and identifies some areas in	
	published in March	which regulatory differences	
	2022.	might be most likely to arise.'	
Clarifying points i	n relation to confident		
Para 3.24:	BEIS asked whether	Old Ftn 33 has been	New ftn 38 (bottom of page
Depending on the	the OIM needs 'to say	amended to state:	15)
level of formality of	something here about	'For instance where the	,
the section 33(2)	not identifying who	matter has already come into	
proposal and the	made the proposal if	the public domain or become	
nature of the	the body/ person	the subject of public	
proposal, the OIM	referring wants to	speculation or concern, or	
will take a view on	remain anonymous'. In	where the OIM considers	
whether to make a	BEIS's view, if this	that it would be appropriate	
public	point is not stated,	to enable the OIM's work to	
announcement at	then certain	be progressed more	
the point a	stakeholders may be	effectively. In this context,	
proposal is	discouraged from	the OIM will also consider	
received.' [ftn 33]	drawing the OIM's	whether the body or	
Ftn 33: 'For	attention to issues.	individual who has made the	
instance where the		proposal has requested	
matter has already		anonymity.	
come into the			
public domain or			
become the subject			
of public			

speculation or concern, or where the OIM considers that it would be appropriate to enable the OIM's work to be progressed more effectively.' Para 4.15: 'Information may be viewed as confidential information if it is: 2 nd bullet pt: • commercial information whose disclosure the OIM thinks might significantly harm the legitimate business interests of the undertaking to which it relates, or []'	BEIS queried the underlined text ('significantly harm') and said that if this threshold is being used for consistency/ in compliance with s244 Enterprise Act 2002, the OIM can make this clear, eg via a footnote. BEIS also queried whether the threshold of 'significant harm' is the right threshold or whether it should be the (lower) threshold of	Added a new footnote 51 after 'significantly harm' stating: 'The threshold of 'significantly harmed' is consistent with section 244(3) of the EA02.'	New ftn 51 (bottom of page 21)
Adding further no	'harm'. int in relation to disclu	sure of requested informa	tion
Para 4.17: 'The	BEIS asked whether	osure of requested informa Added new paragraph 4.18:	New para 4.18 and new ftn
following information will normally be considered to be confidential so that if the OIM is considering whether disclosure is appropriate, it will need to consider the manner of disclosure: [,,,]'	we need to include a point in relation to section 41(8) of the Act about information that cannot be requested.	'The OIM cannot require a person to produce or provide any document or information which the person could not be compelled to produce, or give in evidence, in civil proceedings before the court; or to go more than 10 miles from the person's place of residence, unless the person's necessary travelling expenses are paid or offered to them.'[ftn 53] New footnote 53: 'See Section 41(8) of the Act.'	53 (bottom of page 22)