



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 2021 to 16 December 2022

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><b>Competition enforcement guidance</b></p> <p><a href="#">The CMA's investigation procedures in Competition Act 1998 cases: CMA8</a> 31 January 2022</p> <p><a href="#">Vertical Agreements Block Exemption Order guidance (VABEO) Guidance</a> 20 July 2022</p> <p><b>Advice / guidance resulting from the CMA's other casework</b></p> <p><a href="#">Liquefied petroleum gas (LPG) market orders and calculator</a> 13 April 2022</p> <p><a href="#">How to switch your bulk Liquefied Petroleum Gas supplier</a> 24 May 2022</p> <p><a href="#">Competition law court proceedings: serving documents on the CMA</a> 28 July 2022</p> <p><a href="#">Consumer law court proceedings: notifying the CMA</a> 12 October 2022</p> <p><a href="#">Compliance Principles for social media platforms</a> 3 November 2022</p> <p><a href="#">Businesses and social media endorsements</a> 3 November 2022</p> <p><a href="#">Content creators and social media endorsements</a> 3 November 2022</p> <p><b>Advice / guidance resulting from the creation of the CMA's new functions</b></p> <p><a href="#">Advice to DCMS on how a code of conduct could apply to platforms and content providers</a> 6 May 2022</p> <p><a href="#">Transparency and disclosure: Statement of the OIM's policy and approach</a> 7 July 2022</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p><a href="#">Guidance on the operation of the subsidy control functions of the Subsidy Advice Unit</a> 11 November 2022</p> <p><a href="#">Draft guidance and draft policy statement for the CMA's Subsidy Advice Unit Consultation Outcome</a> 13 December 2022</p> <p><a href="#">SAU referrals process: information for public authorities</a> 13 December 2022</p> <p><a href="#">Statement of Policy on the enforcement of the SAU's information gathering powers</a> 13 December 2022</p> <p><b>Other CMA guidance or advice</b></p> <p><a href="#">Interim Measures and derogations: guidance and templates</a> 21 December 2021</p> <p><a href="#">Mergers - the CMA's jurisdiction and procedure: CMA2</a> 4 January 2022</p> <p><a href="#">Groceries (Supply Chain Practices) Market Investigation Order</a> 25 October 2022</p> <p><a href="#">Energy licence modification appeals rules: CMA70</a> 27 October 2022</p> <p><a href="#">Water appointment modification appeals guide for participants: CMA162</a> 27 October 2022</p> <p><a href="#">Water appointment modification appeals rules: CMA163</a> 27 October 2022</p> <p><a href="#">Energy licence modification appeals guide for participants: CMA71</a> 27 October 2022</p> <p><a href="#">Air traffic services licence modification appeals guide for participants: CMA167</a> 27 October 2022</p> <p><a href="#">Air traffic services licence modification appeals rules: CMA168</a> 27 October 2022</p> <p><a href="#">Airport licence condition appeals guide for participants: CMA173</a></p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	27 October 2022  <a href="#">Airport licence condition appeals rules: CMA172</a> 27 October 2022
<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.  <b>Competition Enforcement</b>  During the reporting period we launched, reached a significant milestone in, or closed 16 separate anti-trust and civil cartel enforcement cases (closed cases may be subject to follow-up work).  <b>Anti-trust</b>  <b>Cases launched</b>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p><a href="#">Investigation into suspected anti-competitive agreement between Google and Meta</a> Launched: 10 March 2022</p> <p><a href="#">Investigation into conduct of Education Software Solutions</a> Launched: 26 April 2022</p> <p><a href="#">Investigation into suspected anti-competitive conduct by Google in ad tech</a> Launched: 25 May 2022</p> <p><a href="#">Investigation into suspected anti-competitive conduct by Google</a> Launched: 10 June 2022</p> <p><a href="#">Investigation into Amazon's Marketplace</a> Launched: 5 July 2022</p> <p><b>Cases closed</b></p> <p><a href="#">Pharmaceuticals: anti-competitive agreements</a> Closed: 3 February 2022 Infringement Decision Issued: anti-competitive agreement</p> <p><a href="#">Investigation into Google's 'Privacy Sandbox' browser changes</a> Closed: 11 February 2022 CMA commitments decision published and case closure.</p> <p><a href="#">Investigation into the supply of electric vehicle chargepoints on or near motorways</a> Closed: 8 March 2022 CMA commitments decision published and case closure</p> <p><a href="#">Domestic Lighting: anti-competitive practices concerning resale price maintenance</a> Closed: 23 March 2022 Infringement decision issued to party and settlement announced</p> <p><a href="#">Pharma Firms Unfair Pricing</a> Closed: 21 July 2022</p> <p><a href="#">Investigation into a capacity sharing agreement between P&amp;O Ferries and DFDS</a> Closed: 5 August 2022 CMA commitments decision published, and case closed</p> <p><b>Other significant milestones</b></p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p data-bbox="616 275 1382 342"><a href="#">Investigation into the conduct of Education Software Solutions - Consultation opened on commitments proposed by ESS</a></p> <p data-bbox="616 347 1382 450">17 November 2022. CMA published a notice of intention to accept commitments offered by ESS and invited representations from interested third parties on the proposed commitments.</p> <p data-bbox="616 495 863 521"><b>Cartel investigations</b></p> <p data-bbox="616 562 802 589"><b>Cases launched</b></p> <p data-bbox="616 633 1374 736"><a href="#">Suspected anti-competitive conduct in connection with the procurements for contracts to supply services at Heathrow and Derwentside Immigration Removal Centres</a></p> <p data-bbox="616 741 911 768">Launched: 1 March 2022</p> <p data-bbox="616 813 1366 880"><a href="#">Suspected anti-competitive conduct in relation to the recycling of end-of-life vehicles</a></p> <p data-bbox="616 884 927 911">Launched: 15 March 2022</p> <p data-bbox="616 956 1366 1059"><a href="#">Suspected anti-competitive behaviour relating to the purchase of freelance services in the production and broadcasting of sports content</a></p> <p data-bbox="616 1064 895 1090">Launched: 12 July 2022</p> <p data-bbox="616 1135 767 1162"><b>Cases closed</b></p> <p data-bbox="616 1207 1374 1274"><a href="#">Anti-competitive behaviour in relation to the pricing of Rangers FC-branded replica football kit</a></p> <p data-bbox="616 1279 943 1305">Closed: 27 September 2022</p> <p data-bbox="616 1310 1286 1337">Infringement decision issued and settlement announced</p> <p data-bbox="616 1382 959 1408"><b>Other significant milestones</b></p> <p data-bbox="616 1453 1350 1520"><a href="#">Supply of construction services - Statement of Objections and settlement</a></p> <p data-bbox="616 1525 1374 1588">24 June 2022: Issue of Statement of Objections and settlement announced.</p> <p data-bbox="616 1632 1374 1771"><a href="#">Suspected anti-competitive conduct in connection with the procurements for contracts to supply services at Heathrow and Derwentside Immigration Removal Centres - Provisional Decision published</a></p> <p data-bbox="616 1776 1206 1803">7 December 2022: Provisional decision published.</p> <p data-bbox="616 1848 903 1874"><b>Consumer Enforcement</b></p> <p data-bbox="616 1919 1366 1982">During the reporting period we launched, reached a significant milestone in, or closed 10 separate cases using our Consumer</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p>Enforcement powers (closed cases may be subject to follow-up work).</p> <p><b>Cases launched</b></p> <p><a href="#">Misleading environmental claims in fashion sector</a> Launched: 29 July 2022</p> <p><a href="#">Consumer protection in green heating and insulation sector</a> Launched: 27 September 2022</p> <p><a href="#">Misleading online sales practices in the mattress and bed industry</a> Launched: 30 November 2022</p> <p><b>Cases Closed</b></p> <p><a href="#">Investigation into the auto-renewal practices of online video gaming</a> Closed: 13 April 2022 CMA closed its investigation into the online gaming sector.</p> <p><a href="#">Investigation into suspected breaches of consumer protection law in the PCR travel test market</a> Closed: 30 June 2022 CMA closed its investigation into PCR testing.</p> <p><a href="#">Investigation into the anti-virus software sector following concerns of firms not complying with consumer law</a></p> <p><a href="#">Investigation into suspected breaches of consumer protection law in the online secondary tickets market</a></p> <p><a href="#">Investigation into the disclosure of paid for endorsements on social media platforms</a> Closed: 3 November 2022 CMA published guidance for social media platforms, brands, and content creators.</p> <p><b>Other significant Milestones</b></p> <p><a href="#">Green Claims Compliance Review</a> Launched: 10 January 2022</p> <p><a href="#">IVF Compliance Review Findings</a> Concluded: 23 September 2022</p> <p><b>Warning and Advisory letters</b></p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p>During the reporting period, we issued 218 advisory letters (relating to 1 case and complaint) and 43 warning letters (relating to 15 cases and complaints) to businesses where we had concerns about possible law breaking and to promote compliance.</p> <p>A register of advisory and warning letters can be found here: <a href="https://www.gov.uk/government/publications/competition-law-warning-and-advisory-letters-register">https://www.gov.uk/government/publications/competition-law-warning-and-advisory-letters-register</a></p> <p><b>Merger control</b></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.</p> <p>During the reporting period (17/12/2021 to 16/12/2022):</p> <ul style="list-style-type: none"> <li>At Phase 1, we made 13 references to Phase 2 (1 of which followed a report to the Secretary of State for Business, Energy &amp; Industrial Strategy under public interest ground of national security, which was subsequently referred back to the CMA for a phase 2 in-depth investigation on the grounds of national security concerns), 14 unconditional clearances, 1 de minimis clearance and 13 sets of Undertakings in Lieu of a Reference decision. 2 cases resulted in a report to the Secretary of State for Business, Energy &amp; Industrial Strategy under public interest ground of national security (where he accepted statutory undertakings from the parties involved and was therefore not referred back to the CMA for a further assessment). 4 cases were found not to qualify and 1 case abandoned. 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).</li> <li>At Phase 2, we cleared 3 cases and found a substantial lessening of competition (SLC) in 9 cases (which includes 1 remittal). 3 cases were abandoned. From the cases where we found an SLC there were 3 prohibitions and 6 impositions of remedies by divestment. 4 cases were ongoing at the end of the reporting period.</li> </ul> <p>A register of orders and undertakings that are currently in force, have lapsed and have been varied or released can be found here: <a href="http://www.gov.uk/government/publications/mergers-orders-and-undertakings">www.gov.uk/government/publications/mergers-orders-and-undertakings</a>.</p>



Excluded Category*	Summary of measure(s), including any impact data where available**
	<p><b>Market reports</b></p> <p>During the reporting period, we launched, reached a significant milestone in, or published our final report in 7 separate projects (closed projects may be subject to follow-up work).</p> <p><b>Cases launched</b></p> <p><a href="#">Market study into music and streaming services</a> 27 January 2022</p> <p><a href="#">UK fuel retail market review</a> 11 June: High-level review of competition in the fuel retail market following a request by the Business Secretary</p> <p><a href="#">Market study into the supply of road fuel in the United Kingdom</a> 8 July 2022</p> <p><a href="#">Market investigation into the supply of mobile browsers and browser engines, and the distribution of cloud gaming services through app stores on mobile devices</a> 22 November 2022</p> <p><b>Cases Closed</b></p> <p><a href="#">Market study into children's social care provision.</a> 10 March 2022: Publication of Final Report.</p> <p><a href="#">Market study into mobile ecosystems</a> 10 June 2022: Publication of final report and consultation on proposed market investigation reference.</p> <p><a href="#">UK fuel retail market review</a> 8 July: High-level review of competition in the fuel retail market following a request by the Business Secretary</p> <p><a href="#">Market Study into music streaming services.</a> 29 November 2022: Publication of final report.</p> <p><b>Other significant milestones</b></p> <p><a href="#">Market investigation in respect of the supply of the land mobile radio network services for public safety (and ancillary services) in Great Britain</a> 14 October 2022: CMA has published a provisional decision.</p> <p><a href="#">Road Fuel Market Study</a> 6 December 2022 – Publication of initial update report</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	<p><a href="#">Market investigation into the supply of mobile browsers and browser engines, and the distribution of cloud gaming services through app stores on mobile devices</a> 13 December 2022: Issues statement published.</p> <p><b>Office for the Internal Market</b></p> <p>During the reporting period, we launched, reached a significant milestone in, or published our final report in 1 separate project.</p> <p><b>Cases Launched</b></p> <p><a href="#">Report on a proposed regulation banning the sale of peat and peat-containing products in England</a> 2 August 2022</p> <p><b>Regulatory appeals</b></p> <p>During the reporting period, we undertook no regulatory appeals.</p> <p><b>Cases launched</b></p> <p>During the reporting period, no regulatory appeals were launched.</p> <p><b>Cases closed</b></p> <p>During the reporting period, no regulatory appeals were closed.</p> <p><b>Remedy Reviews</b></p> <p>During the reporting period, we undertook no Remedy Reviews</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.