

CMA and regulators protect competition across the regulated sectors in the last year

Today, the Competition and Markets Authority (CMA) has published its 9th annual report on how it, as the nation's primary competition authority, works closely with sector regulators, like Ofcom, Ofgem and Ofwat, as part of the concurrency regime.

Under that regime, the sector regulators share powers with the CMA to enforce competition law in their respective regulated sectors. Cooperation between the CMA and the sector regulators on their concurrent competition powers allows them to exploit their complementary skills and provide greater consistency. It improves their collective ability to enforce competition law which is important to ensure the effective promotion of competition in the UK.

For the regime to work effectively, there are rules on how the CMA and the sector regulators work together, known as the concurrency arrangements. This report outlines how the CMA and the sector regulators have worked within these arrangements in the year from April 2022 to March 2023.

The period covered by the report has seen significant pressures on household budgets which the services supplied in the regulated sectors form a large part of and competition is important in helping to keep prices down.

Highlights of our collective work in 2022 - 2023 include:

- Ofcom's finding of an infringement of competition law in relation to the supply of communication equipment to the emergency services, which resulted in a fine totalling £1.5 million.
- An investigation led by ORR (Office of Rail and Road) resulted in an industry group signing formal commitments to address competition concerns in relation to the market for psychometric testing services for train drivers.
- The launch of 5 new investigations where jurisdiction was shared between the CMA and one or more sector regulator. These included new investigations by the CMA in relation to digital markets, and a new investigation by the Financial Conduct Authority in the financial services sector.
- 2 market studies under the Enterprise Act 2002 were launched, including the FCA's market study into wholesale data and Ofcom's market study into cloud services. The CMA's market study into mobile ecosystems was concluded in June 2022.

As we enter the 10th year of the concurrency arrangements in their current form, the CMA is considering a wider review to reflect more broadly on the overall effectiveness of their operation. The CMA will set out further details on the scope of a review of concurrency in due course.

For more information about this year's report, [please visit the webpage](#).

Notes to Editors:

1. The report is published in accordance with the CMA's statutory obligation set out in section 25(4) of the Enterprise and Regulatory Reform Act 2013 (ERRA13), read together with paragraph 16 of Schedule 4.
2. The concurrency arrangements were introduced in their current form by ERRA13 and took effect from 1 April 2014. They created a framework within which the CMA and sector regulators might more effectively work together to improve competition and competition law enforcement in the regulated sectors. The CMA is required under section 25(4) and paragraph 16 of Schedule 4 of ERRA13 to publish an annual report on the operation of the concurrency arrangements.
3. The sector regulators with concurrent competition law powers are the Civil Aviation Authority (CAA); the Office of Communications (Ofcom); the Gas and Electricity Markets Authority (Ofgem); the Financial Conduct Authority (FCA); the Payment Systems Regulator (PSR); the Office of Rail and Road (ORR); the Water Services Regulation Authority (Ofwat), and the Northern Ireland Authority for Utility Regulation (NIAUR).
4. For more information, journalists should contact the CMA press office by email on press@cma.gov.uk or by phone on 020 3738 6460.
5. All enquiries from the public should be directed to the CMA's General Enquiries team on general.enquiries@cma.gov.uk or 020 3738 6000.