

CMA

Prioritisation

Principles

consultation

Summary of responses

CMA187

30 October 2023



© Crown copyright 2023

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-government-licence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Contents

	<i>Page</i>
1. Introduction	3
2. Summary of responses to our consultation	4
3. Conclusion	5

1. Introduction

- 1.1 The CMA published a [consultation](#) on proposed updates to its Prioritisation Principles on 6 July 2023. The proposed updates to the Prioritisation Principles are intended to reflect changes to the context in which we operate since the Prioritisation Principles were published (including, for example, the UK's exit from the EU). Importantly, this includes reflecting the CMA's wider strategic aims, as outlined in our 2023/2024 Annual Plan.¹ The CMA also proposed taking the opportunity to streamline the Prioritisation Principles.
- 1.2 The consultation sought views on whether the proposed updates to the Prioritisation Principles achieve these aims. It posed three questions:
- (a) *Do you agree that the proposed updates to the Prioritisation Principles achieve the aims set out in this consultation document? If not, please give details of what other adaptations may be necessary.*
 - (b) *More specifically, do you think the proposed updated Prioritisation Principles provide greater clarity about the relationship between the CMA's prioritisation decisions and its strategic aims, when read alongside the CMA's Annual Plan?*
 - (c) *Do you have any other suggested updates that you would like the CMA to consider? Please give a clear justification for any further updates.*
- 1.3 We received 5 written responses to our consultation, including from businesses and consumer organisations. All of the responses were supportive of the CMA's proposed updates, where they commented on these. In particular, there was support for the reordering of the key considerations in the Prioritisation Principles, and the clearer connection drawn between the Principles and CMA's Annual Plan.
- 1.4 This document briefly summarises the responses to the consultation. The organisations that responded to the consultation are listed at [Appendix A](#) and the full responses will also be published.
- 1.5 Based upon the supportive responses received, the CMA is adopting the updated Prioritisation Principles on which it consulted.

¹ [CMA Annual Plan 2023 to 2024](#)

2. Summary of responses to our consultation

- 2.1 All of the respondents to our consultation which addressed the Prioritisation Principles were supportive of the CMA's aims in updating them, and the proposed amendments to the text. A number of respondents specifically welcomed the stronger connection between the Prioritisation Principles and the strategic priorities in the CMA's Annual Plan.
- 2.2 Comments in responses to the consultation were primarily focused around how the CMA uses the Prioritisation Principles.
- 2.3 A number of respondents welcomed the updates to the Prioritisation Principles in the context of the proposed new powers for the CMA in the Digital Markets, Competition and Consumers Bill. For example, one respondent welcomed the stronger alignment of the Prioritisation Principles with the strategic priorities in the CMA's 2023/24 Annual Plan, particularly the focus on digital markets. Similarly, a number of respondents hoped that the changes to the Prioritisation Principles would support the CMA in taking stronger action in relation to digital issues.
- 2.4 Two respondents also commented on the consideration in the Prioritisation Principles around whether the CMA is best placed to act. Although none objected to this consideration, they observed that it was important to avoid underenforcement in areas where the CMA has shared or overlapping responsibilities with other bodies. The CMA is always mindful of the interface between our work and that of other bodies with a similar focus or function, and the need to ensure that we work together effectively to achieve good outcomes for people, businesses, and the UK economy.
- 2.5 Other responses welcomed the emphasis on the CMA's work driving benefits in all four nations of the UK, and the importance of supporting people who might need help the most (noting the range of forms and contexts in which vulnerability can arise).
- 2.6 One respondent agreed with the observation in the Prioritisation Principles that indirect effects of CMA interventions can be difficult to measure but cautioned against being unduly influenced by this fact. They argued that an imperfect understanding of these indirect effects should not bias the CMA towards certain actions, at the expense of other equally important interventions.

3. Conclusion

- 3.1 The CMA would like to thank all the respondents who took the time to engage with our consultation by providing written responses. Given the broad support for the updated text on which we consulted, the CMA does not propose to make any further changes to the Prioritisation Principles. Instead, we are adopting the draft on which we consulted as final, and publishing this as our revised Prioritisation Principles alongside this Summary of Responses.

Appendix A: List of formal respondents

1. Action with Communities in Rural England & The National Council for Voluntary Organisations (ACRE & NCVO)
2. Department for the Economy (DfE)²
3. Match Group
4. Movement for an Open Web (MOW)
5. Which?

² The response provided by DfE was provided at an official level only by the department in absence of a Minister in post, and so should not be treated as, or be seen as providing a policy position or view on a behalf of any incoming Minister.