

Revised Penalty Notice

Section 114(7)(b) of the Enterprise Act 2002

Case 51098

Bayerische Motoren Werke AG

30 May 2025

NOTICE OF REDUCTION OF PENALTY UNDER SECTION 114(7)(B) OF THE ENTERPRISE ACT 2002

WHEREAS on 6 December 2022 the Competition and Markets Authority (**'the CMA'**) imposed a penalty on Bayerische Motoren Werke AG (**'BMW AG'**) under section 40A(1) of the Competition Act 1998 (**'CA 1998'**) by notice given on the same date;

AND WHEREAS BMW AG made an application to the Competition Appeal Tribunal under section 114(2) of the Enterprise Act 2002 (**'EA 2002'**), as applied by section 40A(9) of CA 1998, (case no. 1574/10/12/22 registered on 19 December 2022), under which BMW AG invited the Tribunal to quash the penalty, or alternatively to reduce the amount of the penalty;

AND WHEREAS the CMA and BMW AG have agreed to settle BMW AG's application to the Tribunal under section 114(2) of EA 2002;

NOW THEREFORE the CMA, in exercise of the power conferred on it by section 114(7)(b) of EA 2002, as applied by section 40A(9) of CA 1998, hereby agrees to reduce the amount of the penalty imposed upon BMW AG to nil.

Lucília Falsarella Pereira

Senior Director, Competition Enforcement (Interim)

30 May 2025

Competition and Markets Authority