

**CMA CONSULTATION ON UPDATED MARKET REVIEWS, STUDIES, INVESTIGATIONS AND THE  
MONITORING AND REVIEW OF MARKET REMEDIES**

**NWG RESPONSE**

**1 OCTOBER 2025**

Natwest Group (“**NWG**”) is, and has been subject to, various CMA Orders and Undertakings in respect of Retail Banking. The comments in this response reflect the aspects of the consultation which relate to the monitoring and enforcement of Orders and Undertakings.

***(a) Overall, are the changes proposed in the draft Markets Regime Guidance sufficiently clear and useful?***

Yes, the changes and amendments are welcome as they indicate a shift by the CMA to adopting a more proportionate approach when it comes monitoring and enforcement of Orders and Undertakings.

***(b) What, if any, aspects of the draft Markets Regime Guidance do you consider need further clarification or explanation, and why? In responding, please specify which Chapter and section (and, where appropriate, the issue) each of your comments relate to.***

The following sections of the consultation we believe require some additional clarifications,

- 9.8 – the interplay between the CMA and sectoral regulators, where remedies are being imposed in regulated sectors, should go further. In our view, the default position should be that all remedy oversight should pass to sectoral regulators and only remain with the CMA on an exceptional basis. For example, if a remedy is intended to bring benefits to unregulated aspects of a particular market which the sectoral regulator does not have the legal power to regulate. Adopting this position would bring a number of benefits, including for regulated firms aligning with sectoral regulatory monitoring and oversight. This would also free up capacity with the CMA to provide oversight of unregulated industries and markets.
- 9.25(d): the current drafting should be clarified around the extent to which the “well-established” nature of remedy requirements is relevant in assessing the materiality of breaches. This implies the CMA will always consider breaches of long-established requirements as material breaches, but in some cases the situation will be more nuanced as parties will encounter unforeseen challenges with compliance of even longer term requirements and the assessment should avoid adopting a default presumption of significant materiality.
- 9.36: an additional variation on ineffectiveness, which it would be helpful to incorporate, is where the evolution of the market/competition has superseded the remedy. For example, in the case of SME Undertakings and the anti-bundling requirement, increased competition in both SME lending and business current accounts, together with an increasingly engaged customer base empowered with price comparison tools and support from brokers would make any bundling requirement commercially unsustainable irrespective of any regulatory prohibition. This means this has become more of a compliance exercise for the banks rather than delivering tangible customer benefits.

***(c) Do you agree with the proposal to update and consolidate the relevant guidance?***

Yes