Strategic Review of Markets Remedies: Notice of Release of Undertakings 2026

Background

1. The Competition and Markets Authority (CMA) has a statutory duty to keep under review the undertakings and orders made under the Fair Trading Act 1973 (FTA73) and Enterprise Act 2002 (EA02).[1] From time to time, the CMA is required to consider whether, by reason of any change of circumstances, an order or undertaking is no longer appropriate. Where this is the case, the CMA shall then consider whether it should be amended or removed.

2. The CMA may undertake a strategic review of a number of undertakings and orders together.[2] A strategic review enables the CMA to review and amend or remove multiple remedies together thereby reducing the regulatory burden on businesses subject to those remedies and allowing the CMA to focus on monitoring and enforcing those remedies that remain appropriate.[3]

3. On 19 January 2026, the CMA launched a strategic review of 33 markets remedies to consider whether, by reason of any change of circumstances, each remedy was no longer appropriate and needed to be varied or revoked. The 33 remedies are a mix of undertakings and orders, made between 1987 and 2017 under the FTA73 or EA02, following market investigations undertaken by the CMA or its predecessor bodies, the Competition Commission (CC), the Monopolies and Mergers Commission (MMC) and the Office of Fair Trading (OFT).

4. On 12 August 2026, the CMA published its Provisional Decision on its strategic review. For the reasons given in sections 4, 5, 9, 10, 11, 13, 14, 15, 16, 20, 24, 26 and 31 of that Provisional Decision, the CMA provisionally concluded that a change of circumstances had taken place and that 14 undertakings should be released. The CMA gave notice, in accordance with paragraph 7 of Schedule 10 EA02 as applied by section 165 EA02, of its intention to release the 14 undertakings.

5. The CMA received five responses to its Notice of 12 August 2026, non-confidential versions of which have been published on the CMA website.

[1] Under sections 162(1), (2) and (3) of the EA02 and sections 88(4) and (5) of the FTA73 (as preserved in paragraphs 16 and 17 of Schedule 24 of the EA02).
[2] CMA Markets Regime Guidance (CMA3), 3 February 2026, paragraph 9.36.
[3] CMA3, 3 February 2026, paragraph 9.36.

6. The CMA has considered carefully all representations it has received. In light of those representations, the CMA did not make any modifications to the proposed releases it consulted on.

7. On 4 November 2026, the CMA published its Final Decision on the Strategic Review and gave notice of the Strategic Markets Review Release of Undertakings 2026.

Notice of Release of Undertakings 2026

1. The CMA gives Notice, pursuant to paragraph 8 of Schedule 10 and in exercise of its powers in section 159(5) and paragraph 16(2) of Schedule 24 of the Enterprise Act 2002, for the purpose of releasing the undertakings in paragraph 3.

2. These undertakings were accepted for the purpose of implementing remedies to address adverse effects on competition identified in the relevant market studies or investigations. By reason of a change of circumstances in each case, the undertakings are no longer appropriate and the parties are released.

3. The parties to the following undertakings are hereby released from them:

    3.1 Opium Derivatives Undertakings 1989

    3.2 Television Broadcasting Services (BBC) Undertakings 1992

    3.3 Undertaking by the British Medical Association 1994

    3.4 Animal Waste Undertakings 1995 – Prosper de Mulder

    3.5 Animal Waste Undertakings 1995 – William Forrest and Son

    3.6 Birds Eye Wall’s (Impulse Ice Cream) Undertakings 2000 – January 2000

    3.7 Impulse Ice Cream – Birds Eye Wall’s Undertakings 2000 – July 2000

    3.8 Impulse Ice Cream – Mars UK Undertakings 2000

    3.9 Impulse Ice Cream – Nestlé UK Undertakings 2000

    3.10 Postal Franking Machines Undertakings 2005

    3.11 BAA Supply of Airport Services Market Investigation Undertakings (Consultation) 2010

3.12 BAA Supply of Airport Services Market Investigation Undertakings (Segmental Analysis) 2011

3.13 Argos Limited and DSG Retail Limited Undertakings 2012

3.14 Cement Market Data - World Business Council for Sustainable Development (WBCSD) Undertakings 2017

Kirstin Baker
Chair of the Group
Competition and Markets Authority
4 November 2026

Explanatory Note

(This note does not form part of the Notice)

1. The purpose of the Notice of Release of Undertakings 2026 is to release the parties from the commitments in 14 undertakings accepted pursuant to the Fair Trading Act 1973 or the Enterprise Act 2002 identified in the strategic review of markets remedies.
2. A Notice of Intention to release these undertakings was published on 12 August 2026 with the Provisional Decision on the strategic review of markets remedies.
3. The CMA considered these undertakings, for the reasons set out in the Final Decision of the strategic review of markets remedies, were no longer appropriate by reason of a change of circumstances in each case and needed to be released.
4. The CMA has a general duty to monitor the operation of orders under section 162 of the Enterprise Act 2002. This includes the duty to consider from time to time whether an undertaking is no longer appropriate by reason of any change of circumstances and needs to be varied or released.
5. Nothing in this Explanatory Note is legally binding. In the event of a conflict between this Explanatory Note and the provisions of Notice of Release of Undertakings 2026, the Notice shall prevail