



Competition and Markets Authority

Policy paper

Strategic steer to the Competition and Markets Authority

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1. Introduction

The primary mission of this government is economic growth. Free and fair competition and effective consumer protection support growth by driving forward innovation, increasing productivity, and encouraging investment – including international direct investment – into the UK.

The Prime Minister has been clear that regulators have a key role to play in upholding and promoting the reputation of the UK as a centre for certain, proportionate and transparent regulation. This includes the UK's independent Competition and Markets Authority (CMA).

The CMA can support growth and investment as it discharges its statutory functions, harnessing tools such as competition and consumer law enforcement, merger control, market studies and investigations, the digital markets competition regime and the provision of advice to government. It is equally important that the way in which the CMA goes about its work supports growth and investment. We expect the CMA's actions to be swift, predictable, independent and proportionate.

This steer sets out how the government expects the CMA to support and contribute to the overriding national priority of this government – economic growth. The steer applies to all aspects of the CMA's activity over which it has discretion, including how it engages with people and businesses affected by its work. Investment is a critical driver of growth, and the government expects the CMA's approach to clearly, and unambiguously, reflect the need to enhance the attractiveness of the UK as a destination for international investment.

2. Delivering investment, consumer benefit and economic growth

2.1 Using CMA tools proportionately, with growth and investment in mind

The CMA must at all times properly and independently exercise its statutory functions to promote competition and protect consumers [footnote 1].

In all areas where the CMA has discretion over which reviews, studies or investigations to commence, and in all cases where the CMA is considering remedies, the CMA should give appropriate consideration to:

- prioritising pro-growth and pro-investment interventions
- focusing on markets and harms that particularly impact UK-based consumers and businesses
- supporting growth and competitiveness in the industrial strategy's 8 growth-driving sectors

The CMA should consider the actions being taken by competition and/or consumer protection agencies in other jurisdictions internationally, and, where appropriate, seek to ensure parallel regulatory action is timely, coherent and avoids duplication where these parallel actions effectively address issues arising in markets in the UK.

The CMA should also work with other relevant regulators in the UK to ensure regulatory action is coherent, timely and that it supports dynamic markets, growth and investment in the UK.

The CMA should tackle as swiftly as possible, in line with the new duty of expedition, anti-competitive conduct which harms businesses and consumers, and limits the potential of our economy.

The CMA should use the new Digital Markets Competition and Consumers Act (DMCCA) digital market regime independently, flexibly, proportionately and collaboratively to effectively unlock opportunities for growth across the UK digital economy and the wider economy. Recognising that the development of markets driven by new and emerging technologies is not always easily predictable, the CMA should take particular care to collaborate with all interested parties to ensure growth and innovation benefits are prioritised, including through supporting the government in delivery of the AI opportunities action plan.

The CMA should use its range of tools, including its forthcoming direct consumer enforcement powers under the DMCCA, to, where appropriate, grow the economy through promoting consumer trust and confidence, while deterring poor corporate practices.

Where possible, the CMA should prioritise the use of tools in areas where competition can play an important role in driving efficiency and an enhanced user experience in the provision of key public services.

The CMA should continue to provide government with evidence and advice on key policy issues, including through the provision of research and policy advice on the development and implementation of the industrial strategy.

2.2 Minimise uncertainty by engaging with those affected by the CMA's work and report on impact of

work

The CMA should provide proactive, transparent, timely, predictable and responsive engagement with businesses to enable them, in turn, to engage quickly and effectively with the CMA, including engagement during CMA investigations. In doing so the CMA should focus on collaborative approaches to resolving issues with interested parties. In carrying out their work the CMA should be attuned, and responsive to, feedback from business to support them in delivering on this steer.

The CMA should review procedural guidance and practice to make it accessible and meaningful to business to ensure that businesses receive a 'best in class' experience, including seeking regular feedback of business experience and CMA capability and expertise. This should include guidance on transparency, to ensure that there is a careful balance of the need for public transparency in the CMA's activities with the market impact of public communications about regulatory activity. We continue to expect the CMA to meet their statutory timeframes and clearly explain when this does not occur.

Through the work of the CMA in ensuring effective competition and consumer protection, the CMA should support the positive benefits of innovation, recognising the key role it plays in driving net zero, public sector reform and economic growth.

The CMA should continue to develop a contemporary evidence base to demonstrate its impact on the UK economy in an increasingly fractured global trading environment. This should include demonstrating how competition improves consumer outcomes, encourages innovation, drives investment and ultimately, delivers economic growth across the UK. The CMA should continue to play an active role in international fora to support issues of shared interest.

3. Engagement with government

The government will continue to engage with the CMA on key policy issues, including seeking their advice where regulatory or other policies may pose barriers to effective competition in markets. Where appropriate the CMA should, through the markets regime, or through wider advocacy, support the agenda of this government. The government is committed to supporting the CMA to deliver on this steer, including supporting efforts to further strengthen CMA capability.

The government commits further to issuing an official response to CMA recommendations under their markets tool within 90 days, with a

presumption that the government will accept the recommendations unless there are compelling policy reasons not to do so. In the event that the government does not accept a recommendation made by the CMA, a clear explanation will be provided in its response.

4. Accountability

This government expects to see clearly and quickly how the CMA intends to account for this steer in its work, and report on how it has applied the steer in practice in its annual report. To support this, the CMA's framework agreement will be updated to include relevant reporting requirements.

To ensure stakeholders retain confidence in the UK competition and consumer protection regulatory regime, the government will also amend the CMA framework agreement to require regular feedback from CMA stakeholders, including businesses and consumers. This will produce published results regarding CMA decision-making, commercial awareness, transparency and stakeholder engagement.

1. The CMA operates in line with the <u>Competition Act 1998</u>
https://www.legislation.gov.uk/ukpga/1998/41/contents), the <u>Enterprise Act 2002</u> (https://www.legislation.gov.uk/ukpga/2002/40/contents), the <u>Enterprise and Regulatory Reform Act 2013</u>
https://www.legislation.gov.uk/ukpga/2013/24/contents) and the <u>Digital Markets</u>, Competition and Consumers Act 2024
https://www.legislation.gov.uk/ukpga/2024/13/contents). This steer should be read in line with this statutory framework.



