



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 1

DIGITAL MARKETS

CHAPTER 7

ENFORCEMENT AND APPEALS

Offences

93 Destroying or falsifying information

- (1) A person (“P”) commits an offence if, having been required to give information to the CMA or any other person under a provision of [Chapter 6](#), P—
 - (a) intentionally or recklessly destroys or otherwise disposes of it, falsifies it or conceals it, or
 - (b) causes or permits its destruction, disposal, falsification or concealment.
- (2) See [section 97](#) for provision restricting the application of this section in relation to acts done by a person who is outside the United Kingdom.

94 False or misleading information

- (1) A person (“P”) commits an offence if—
 - (a) P gives information to the CMA in connection with any of the CMA’s digital markets functions,
 - (b) the information is false or misleading in a material particular, and
 - (c) P knows that it is or is reckless as to whether it is.

- (2) A person (“P”) commits an offence if P gives information to another person which is false or misleading in a material particular and P—
- (a) either—
 - (i) knows the information to be false or misleading in a material particular, or
 - (ii) is reckless as to whether the information is false or misleading in a material particular, and
 - (b) knows that the information will be given to the CMA in connection with any of its digital markets functions.
- (3) See [section 97](#) for provision restricting the application of this section in relation to acts done by a person who is outside the United Kingdom.

95 Obstructing an officer

- (1) A person (“P”) commits an offence if P intentionally obstructs an officer of the CMA acting in the exercise of the officer’s powers under—
- (a) [section 74](#), or
 - (b) a warrant issued under [section 75](#).
- (2) See [section 97](#) for provision restricting the application of this section in relation to acts done by a person who is outside the United Kingdom.

96 Offences by officers of a body corporate etc

- (1) If an offence under [section 93](#), [94](#) or [95](#) committed by a body corporate is proved—
- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
 - (b) to be attributable to neglect on the part of an officer of the body corporate, the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member’s functions of management as if the member were an officer of the body corporate.
- (3) If an offence under [section 93](#), [94](#) or [95](#) committed by a partnership in Scotland is proved—
- (a) to have been committed with the consent or connivance of a partner, or
 - (b) to be attributable to neglect on the part of a partner, the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (4) In subsection (3), “partner” includes a person purporting to act as a partner.
- (5) See [section 97](#) for provision restricting the application of this section in relation to acts done by a person who is outside the United Kingdom.

97 Offences: limits on extra-territorial jurisdiction

A person does not commit an offence under section 93, 94 or 95 (including as those sections are applied by section 96) by virtue of an act done when the person is outside the United Kingdom unless one or more of the following applies at the time of the act—

- (a) the person is a United Kingdom national;
- (b) the person is an individual who is habitually resident in the United Kingdom;
- (c) the person is a body incorporated under the law of any part of the United Kingdom.

98 Sentences

A person guilty of an offence under section 93, 94 or 95 is liable—

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum;
- (c) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.