



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 2

COMPETITION

CHAPTER 1

ANTI-TRUST

Investigations

PROSPECTIVE

121 Duty to preserve documents relevant to investigations

- (1) Chapter 3 of Part 1 of CA 1998 (competition: investigation and enforcement) is amended as follows.
- (2) After section 25A insert—

“25B Duty to preserve documents relevant to investigations

- (1) **Subsection (2)** applies where a person knows or suspects that an investigation by the CMA under section 25 is being or is likely to be carried out.
- (2) The person must not—
 - (a) falsify, conceal, destroy or otherwise dispose of, or
 - (b) cause or permit the falsification, concealment, destruction or disposal of,

Status: Point in time view as at 24/05/2024. This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 121. (See end of Document for details)

a document which the person knows or suspects is or would be relevant to the investigation.

(3) In this section, the reference to concealing a document includes a reference to destroying the means of reproducing information recorded otherwise than in legible form.”

(3) In [section 40ZE](#) (enforcement of requirements: imposition of penalties) (inserted by [paragraph 8](#) of [Schedule 10](#)), in [subsection \(1\)](#), in [paragraph \(a\)](#), after “imposed on the person” insert “by section 25B or”.

Commencement Information

II S. 121 not in force at Royal Assent, see [s. 339\(1\)](#)

Status:

Point in time view as at 24/05/2024. This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 121.