



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 1

DIGITAL MARKETS

CHAPTER 2

STRATEGIC MARKET STATUS

Procedure

PROSPECTIVE

14 Outcome of SMS investigations

- (1) The CMA must—
 - (a) in the case of an initial SMS investigation which it does not close under [section 12](#), decide whether to designate the undertaking to which the investigation relates as having SMS in respect of a digital activity to which the investigation relates;
 - (b) in the case of a further SMS investigation, make a decision on the matters mentioned in [section 10\(3\)](#) and, where relevant, [section 10\(4\)](#).
- (2) The CMA must give the undertaking a notice (an “SMS decision notice”) setting out its decisions under subsection (1) on or before the last day of the period (the “SMS investigation period”) of 9 months beginning with the day on which the SMS investigation notice is given.

Status: 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 14. (See end of Document for details)

- (3) The giving of a revised version of an SMS investigation notice under [section 11\(4\)](#) does not change the day on which the SMS investigation period begins.
- (4) Sections [15](#) and [16](#) make provision about the content of an SMS decision notice.
- (5) As soon as reasonably practicable after giving an SMS decision notice, the CMA must publish the notice.
- (6) If the CMA does not give an SMS decision notice on or before the last day of the SMS investigation period, the CMA and the undertaking to which the investigation related are to be treated as if—
 - (a) in the case of an initial SMS investigation, the CMA had given the undertaking an SMS decision notice stating that it had decided not to designate the undertaking in respect of any digital activity to which the investigation related, and
 - (b) in the case of a further SMS investigation, the CMA had given an SMS decision notice stating that it had decided to revoke the designated undertaking's designation in respect of the relevant digital activity with effect from the end of the SMS investigation period.

Commencement Information

- II** S. 14 not in force at Royal Assent, see [s. 339\(1\)](#)

Status:

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 14.