



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 3

ENFORCEMENT OF CONSUMER PROTECTION LAW

CHAPTER 4

DIRECT ENFORCEMENT POWERS OF CMA

Undertakings

187 Undertakings under [section 185](#): procedural requirements

- (1) [This section](#) applies where the CMA proposes to—
 - (a) accept a material variation of an undertaking under [section 185](#), or
 - (b) release a person from any such undertaking,and the proposed variation or release has not been requested by the person who gave the undertaking.
- (2) Before taking the proposed action mentioned in [subsection \(1\)](#) the CMA must—
 - (a) give notice to the person under [subsection \(3\)](#), and
 - (b) consider any representations made in accordance with the notice.
- (3) A notice under [this subsection](#) must state—
 - (a) the fact that the CMA is proposing to act as mentioned in [subsection \(1\)](#),
 - (b) the reasons for doing so, and
 - (c) the means by which, and the time by which, representations may be made in relation to the proposed action.

Status: This is the original version (as it was originally enacted).

- (4) If after considering any representations made in accordance with a notice under [subsection \(3\)](#) the CMA decides to take an action mentioned in [subsection \(1\)](#), the CMA must give notice to the person of that decision.
- (5) The reference in [subsection \(1\)\(a\)](#) to a material variation is a reference to any variation that the CMA considers to be material in any respect.