



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 3

ENFORCEMENT OF CONSUMER PROTECTION LAW

CHAPTER 5

MONETARY PENALTIES: GENERAL PROVISIONS

203 Information to accompany orders or notices imposing monetary penalties

- (1) An order or notice under Chapter 3 or 4 under which a person (“the respondent”) is required to pay a monetary penalty must state the following information (referred to in those Chapters as the “monetary penalty information”)—
- (a) the amount of the penalty (including whether it is a fixed amount, an amount calculated by reference to a daily rate or both a fixed amount and an amount calculated by reference to a daily rate);
 - (b) the grounds on which the penalty is imposed together with any other factors that the court (in the case of an order) or the CMA (in the case of a notice) considers justify the giving of the penalty or its amount;
 - (c) in the case of an amount calculated by reference to a daily rate, the day on which the amount first starts to accumulate and the day or days on which it might cease to accumulate;
 - (d) how the penalty is to be paid;
 - (e) the date or dates, no earlier than the end of the applicable period beginning with the date on which the order was served on or the notice was given to the respondent, by which the penalty or (as the case may be) different portions of it are required to be paid;
 - (f) that the penalty or (as the case may be) different portions of it may be paid earlier than the date or dates by which it or they are required to be paid;

Status: This is the original version (as it was originally enacted).

- (g) that the respondent has the right to apply under [subsection \(3\)](#) (in the case of an order) or [subsection \(4\)](#) (in the case of a notice);
 - (h) the rights available to the respondent to appeal in respect of the imposition of the penalty;
 - (i) the main details of the rights mentioned in paragraphs (g) and (h).
- (2) In subsection (1)(e) “the applicable period” means—
- (a) in the case of an order or a final false information enforcement notice, the period of 28 days;
 - (b) in any other case, the period of 60 days.
- (3) The respondent may, within 14 days of the date on which an order imposing a monetary penalty is served on the respondent, apply to the court for the court to specify a different date or dates by which the penalty, or different portions of it, are to be paid.
- (4) The respondent may, within 14 days of the date on which a notice imposing a monetary penalty is given to the respondent, apply to the CMA to specify a different date or dates by which the penalty, or different portions of it, are required to be paid.
- (5) References in subsections (1) and (2) to an order include references to a notice accompanying such an order given under [section 158\(4\)](#).
- (6) In the application of this section to Scotland, the references in subsections (1)(e) and (3) to an order being served include service of an extract order in execution of or diligence on the order.