



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 1

DIGITAL MARKETS

CHAPTER 7

ENFORCEMENT AND APPEALS

Civil penalties

91 Statement of policy on penalties

- (1) The CMA must prepare and publish a statement of policy in relation to the exercise of powers to impose a penalty under sections 85 and 87.
- (2) The statement must include a statement about the considerations relevant to the determination of—
 - (a) whether to impose a penalty under section 85 or 87;
 - (b) the nature and amount of any such penalty.
- (3) The CMA may revise its statement of policy and, where it does so, must publish the revised statement.
- (4) In preparing or revising its statement of policy the CMA must consult—
 - (a) the Secretary of State, and
 - (b) such other persons as the CMA considers appropriate.
- (5) A statement of policy, or revised statement, may not be published under [this section](#) without the approval of the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (6) Subsection (7) applies where the CMA proposes to impose a penalty on a person.
- (7) The CMA must have regard to the statement of policy most recently published under this section at the time of the act or omission giving rise to the penalty when deciding—
 - (a) whether to impose the penalty, and
 - (b) if so, the amount of the penalty.