



Enterprise Act 2002

2002 CHAPTER 40

PART 1

[^{F1}GENERAL FUNCTIONS OF THE CMA]

General functions of [^{F1}the CMA]

Textual Amendments

- F1** Words in s. 5 cross-heading substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(3\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

5 Acquisition of information etc.

- (1) The [^{F2}CMA] has the function of obtaining, compiling and keeping under review information about matters relating to the carrying out of its functions.
- (2) That function is to be carried out with a view to (among other things) ensuring that the [^{F3}CMA] has sufficient information to take informed decisions and to carry out its other functions effectively.
- (3) In carrying out that function the [^{F3}CMA] may carry out, commission or support (financially or otherwise) research.

Textual Amendments

- F2** Word in s. 5(1) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F3** Word in s. 5(2)(3) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

Status: Point in time view as at 20/09/2021.

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: General functions of the CMA. (See end of Document for details)

6 Provision of information etc. to the public

- (1) The [^{F4}CMA] has the function of—
- (a) making the public aware of the ways in which competition may benefit consumers in, and the economy of, the United Kingdom; and
 - (b) giving information or advice in respect of matters relating to any of its functions to the public.
- (2) In carrying out those functions the [^{F4}CMA] may—
- (a) publish educational materials or carry out other educational activities; or
 - (b) support (financially or otherwise) the carrying out by others of such activities or the provision by others of information or advice.

Textual Amendments

F4 Word in s. 6(1)(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 61](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

Modifications etc. (not altering text)

C1 S. 6(1)(b) excluded (20.9.2021) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), [ss. 31\(5\)\(b\)](#), 59(3) (with s. 55(2)); S.I. 2021/1062, reg. 2(b)

7 Provision of information and advice to Ministers etc.

- (1) The [^{F5}CMA] has the function of—
- (a) making proposals, or
 - (b) giving other information or advice,
- on matters relating to any of its functions to any Minister of the Crown or other public authority (including proposals, information or advice as to any aspect of the law or a proposed change in the law).
- [^{F6}(1A) The CMA may, in particular, carry out the function under subsection (1)(a) by making a proposal in the form of a recommendation to a Minister of the Crown about the potential effect of a proposal for Westminster legislation on competition within any market or markets in the United Kingdom for goods or services.
- (1B) The CMA must publish such a recommendation in such manner as the CMA considers appropriate for bringing the subject matter of the recommendation to the attention of those likely to be affected by it.]
- (2) A Minister of the Crown may request the [^{F7}CMA] to make proposals or give other information or advice on any matter relating to any of its functions; and the [^{F7}CMA] shall, so far as is reasonably practicable and consistent with its other functions, comply with the request.
- [^{F8}(3) In this section—
- “market in the United Kingdom” includes—
- (a) so far as it operates in the United Kingdom or a part of the United Kingdom, any market which operates there and in another country or territory or in a part of another country or territory; and
 - (b) any market which operates only in a part of the United Kingdom;

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and the reference to a market for goods or services includes a reference to a market for goods and services; and

“Westminster legislation” means—

- (a) an Act of Parliament, or
- (b) subordinate legislation (within the meaning given by section 21 of the Interpretation Act 1978).]

Textual Amendments

- F5** Word in s. 7(1) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 62\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F6** S. 7(1A)(1B) inserted (26.5.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), [ss. 37\(2\)](#), 164(3)(b)(iii)
- F7** Word in s. 7(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 62\(3\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F8** S. 7(3) inserted (26.5.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), [ss. 37\(3\)](#), 164(3)(b)(iii)

Modifications etc. (not altering text)

- C2** S. 7 excluded (20.9.2021) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), [ss. 31\(5\)\(b\)](#), 59(3) (with s. 55(2)); S.I. 2021/1062, reg. 2(b)

^{F9}8 Promoting good consumer practice

Textual Amendments

- F9** S. 8 omitted (1.4.2014) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 63](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

[^{F10}8A Exclusion of public consumer advice scheme

The [^{F11}CMA] may not under this Part support a public consumer advice scheme, where that support of a scheme consists of providing, or securing the provision of, an arrangement for giving advice without charge to individual consumers on matters personal to them.]

Textual Amendments

- F10** S. 8A inserted (28.3.2013) by [The Public Bodies \(The Office of Fair Trading Transfer of Consumer Advice Scheme Function and Modification of Enforcement Functions\) Order 2013 \(S.I. 2013/783\)](#), arts. 1(2), 3
- F11** Word in s. 8A substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 2](#) (with art. 3)

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