



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 2

COMPETITION

CHAPTER 1

ANTI-TRUST

Proceedings before the Competition Appeal Tribunal

PROSPECTIVE

126 Exemplary damages

- (1) In section 47C of CA 1998 (collective proceedings: damages and costs), before subsection (2) insert—

“(1) The Tribunal may not award exemplary damages in collective proceedings.”

- (2) In Schedule 8A of CA 1998 (further provision about claims in respect of loss or damage before a court or the Tribunal)—

- (a) in Part 4 (cartels), in paragraph 15 (liability of immunity recipients)—
- (i) the existing text becomes sub-paragraph (1);
 - (ii) in sub-paragraph (1), in the words before paragraph (a), for “in respect of loss and damage suffered by” substitute “to”;
 - (iii) after that sub-paragraph insert—

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 126. (See end of Document for details)

- “(2) But an immunity recipient is not liable (either alone or jointly) by virtue of sub-paragraph (1)(e) to pay exemplary damages.”;
- (b) omit Part 8 (exemplary damages);
 - (c) in Part 10 (application), in paragraph 42, in sub-paragraph (1) omit “, 8”.
- (3) The amendments made by this section have effect in relation to competition claims, competition proceedings, claims for contribution arising from competition claims and proceedings relating to such claims to the extent that—
- (a) the claims and proceedings relate to an infringement of competition law that takes place after the coming into force of this section, and
 - (b) the loss or damage (if any) to which the claims or proceedings relate is suffered after the coming into force of this section.
- (4) For the purposes of [subsection \(3\)](#), where an infringement of competition law takes place over a period of two or more days it is to be taken to have taken place on the first of those days.
- (5) Terms used in [subsection \(3\)](#) and in Schedule 8A to CA 1998 have the same meaning in [subsection \(3\)](#) as they do in that Schedule (see Part 1 of that Schedule).

Commencement Information

- II** S. 126 not in force at Royal Assent, see [s. 339\(1\)](#)

Status:

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Changes to legislation:

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