



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 3

ENFORCEMENT OF CONSUMER PROTECTION LAW

CHAPTER 3

CONSUMER PROTECTION ORDERS AND UNDERTAKINGS

Enforcers for purposes of Chapter

PROSPECTIVE

152 Designation criteria

- (1) These are the designation criteria in respect of a person (“P”) for the purposes of [section 151\(5\)\(b\)](#)—
- (a) P is constituted, managed and controlled in such a way as to be expected to act independently, impartially and with integrity;
 - (b) P has established procedures to ensure that any potential conflicts of interest are properly dealt with;
 - (c) P has demonstrated experience, competence and expertise in promoting or protecting the collective interests of consumers;
 - (d) P has demonstrated the ability to protect the interests of consumers by promoting high standards of integrity and fair dealing in the conduct of business in relation to consumers;
 - (e) P has the capability to investigate infringements and carry out enforcement procedures under [this Chapter](#);

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 152. (See end of Document for details)

- (f) P is ready and willing to follow best practice in enforcement;
 - (g) P is ready and willing to co-operate with other enforcers and relevant persons.
- (2) P does not fail to meet the criteria in [subsection \(1\)\(a\)](#) by reason only of a connection with another person carrying on a business of a kind that could be affected (directly or indirectly) by action taken under [this Chapter](#) if—
- (a) the other person does not control P, and
 - (b) the profits of the other person’s business are used for the purposes of furthering the objectives of P.
- (3) For the purposes of [subsection \(1\)\(g\)](#)—
- (a) “relevant persons” are any persons responsible for the regulation of matters in respect of which acts or omissions may constitute a relevant infringement;
 - (b) co-operation includes, in particular—
 - (i) sharing of information (so far as legally permitted), and
 - (ii) participating in arrangements to co-ordinate action under [this Part](#).

Commencement Information

II S. 152 not in force at Royal Assent, see [s. 339\(1\)](#)

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 152.