



# Digital Markets, Competition and Consumers Act 2024

## 2024 CHAPTER 13

### PART 1

#### DIGITAL MARKETS

#### CHAPTER 3

#### CONDUCT REQUIREMENTS

#### *Enforcement of conduct requirements*

PROSPECTIVE

#### **26 Power to begin a conduct investigation**

- (1) The CMA may begin an investigation (a “conduct investigation”) where it has reasonable grounds to suspect that an undertaking has breached a conduct requirement.
- (2) A conduct investigation is an investigation into—
  - (a) whether a breach has occurred, and
  - (b) if it has, what action, if any, the CMA should take in relation to the breach.
- (3) When the CMA begins a conduct investigation it must give a notice (a “conduct investigation notice”) to the undertaking which it suspects has breached a conduct requirement.
- (4) The conduct investigation notice must—
  - (a) state the conduct requirement which the CMA suspects has been breached;
  - (b) describe the conduct which the CMA suspects constituted the breach;

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*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 26. (See end of Document for details)*

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- (c) state the period within which the undertaking may make representations in relation to the conduct investigation (see subsection (5));
  - (d) state the period by the end of which the CMA must give a notice to the undertaking setting out its findings as a result of the conduct investigation (see [section 30\(2\)](#));
  - (e) state the circumstances in which that period may be extended (see [section 104](#));
  - (f) state the effect of the following provisions—
    - (i) [section 28](#) (closing a conduct investigation without making a finding);
    - (ii) [section 30](#) (notice of findings);
    - (iii) [section 36](#) (commitments).
- (5) The period mentioned in [subsection \(4\)\(c\)](#) is such period as the CMA may determine.
- (6) As soon as reasonably practicable after giving a conduct investigation notice, the CMA must publish the conduct investigation notice.

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#### **Commencement Information**

**II** S. 26 not in force at Royal Assent, see [s. 339\(1\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 26.