



# Digital Markets, Competition and Consumers Act 2024

## 2024 CHAPTER 13

### PART 1

#### DIGITAL MARKETS

#### CHAPTER 2

#### STRATEGIC MARKET STATUS

#### *Power to designate undertaking as having SMS*

#### **7 The turnover condition**

- (1) The CMA may not designate an undertaking as having SMS in respect of a digital activity unless the turnover condition is met in relation to the undertaking.
- (2) The turnover condition is met in relation to an undertaking if the CMA estimates that—
  - (a) the total value of the global turnover of an undertaking or, where the undertaking is part of a group, the global turnover of that group in the relevant period exceeds £25 billion, or
  - (b) the total value of the UK turnover of an undertaking or, where the undertaking is part of a group, the UK turnover of that group in the relevant period exceeds £1 billion.
- (3) The Secretary of State may by regulations amend either of the sums mentioned in [subsection \(2\)](#).
- (4) Regulations under [subsection \(3\)](#) are subject to the affirmative procedure.
- (5) The CMA must—
  - (a) keep under review the sums mentioned in [subsection \(2\)](#), and

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*Status: This is the original version (as it was originally enacted).*

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- (b) from time to time advise the Secretary of State as to whether the sums are still appropriate.
- (6) In this section—
- (a) the “relevant period” means—
    - (i) the most recent period of 12 months (“period A”) in respect of which the CMA considers that it is able to make an estimate of the total value of the relevant turnover of the undertaking or group, or
    - (ii) if the CMA estimates that the relevant turnover of the undertaking or group in the period of 12 months ending immediately before period A was higher than the relevant turnover of the undertaking or group in period A, that earlier period of 12 months;
  - (b) the “relevant turnover” of the undertaking or group is the UK turnover or, as the case may be, global turnover of the undertaking or group.