



Digital Markets, Competition and Consumers Act 2024

2024 CHAPTER 13

PART 1

DIGITAL MARKETS

CHAPTER 6

INVESTIGATORY POWERS ETC AND COMPLIANCE REPORTS

Investigatory powers etc

71 Power of access

- (1) The CMA may exercise the powers in [this section](#) where it considers that a designated undertaking or an undertaking that is the subject of a breach investigation—
 - (a) has not complied with the requirements of an information notice (see [section 69](#)), or
 - (b) has not complied with the duty to assist a skilled person with the preparation of a report (see [section 79\(12\)](#)).
- (2) The CMA may access business premises, equipment, services, information or individuals in order to—
 - (a) supervise the obtaining, generation, collection or retention of information by the undertaking,
 - (b) observe the undertaking's conduct in relation to users, or
 - (c) observe a demonstration or test performed by the undertaking,for the purpose of securing compliance with requirements imposed on the undertaking under [section 69](#) or [section 79\(12\)](#).

Status: This is the original version (as it was originally enacted).

- (3) Where the CMA requires access under subsection (2), it must give the undertaking a notice specifying—
 - (a) the access that it requires,
 - (b) a date by which the access must be provided, and
 - (c) the manner in which the access must be provided (which may be remote).
- (4) The undertaking must give the CMA the access specified in the notice under subsection (3).
- (5) The powers conferred by this section are not exercisable in relation to premises, equipment or individuals outside the United Kingdom.
- (6) But the powers conferred by this section are exercisable in relation to information and services whether stored or provided within or outside the United Kingdom.
- (7) In this Chapter, “business premises” means premises (or any part of premises) not used as a dwelling.