



# Enterprise Act 2002

## 2002 CHAPTER 40

### PART 1 **U.K.**

#### [<sup>F1</sup>GENERAL FUNCTIONS OF THE CMA]

##### *General functions of [<sup>F1</sup>the CMA]*

#### Textual Amendments

- F1** Words in s. 5 cross-heading substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(3\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

### 5 Acquisition of information etc. **U.K.**

- (1) The [<sup>F2</sup>CMA] has the function of obtaining, compiling and keeping under review information about matters relating to the carrying out of its functions.
- (2) That function is to be carried out with a view to (among other things) ensuring that the [<sup>F3</sup>CMA] has sufficient information to take informed decisions and to carry out its other functions effectively.
- (3) In carrying out that function the [<sup>F3</sup>CMA] may carry out, commission or support (financially or otherwise) research.

#### Textual Amendments

- F2** Word in s. 5(1) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F3** Word in s. 5(2)(3) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(3\), Sch. 5 para. 60\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

---

*Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: General functions of the CMA. (See end of Document for details)*

---

## 6 Provision of information etc. to the public **U.K.**

- (1) The [<sup>F4</sup>CMA] has the function of—
- (a) making the public aware of the ways in which competition may benefit consumers in, and the economy of, the United Kingdom; and
  - (b) giving information or advice in respect of matters relating to any of its functions to the public.
- (2) In carrying out those functions the [<sup>F4</sup>CMA] may—
- (a) publish educational materials or carry out other educational activities; or
  - (b) support (financially or otherwise) the carrying out by others of such activities or the provision by others of information or advice.

### Textual Amendments

**F4** Word in s. 6(1)(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 61](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

### Modifications etc. (not altering text)

**C1** [S. 6\(1\)\(b\)](#) excluded (20.9.2021) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), [ss. 31\(5\)\(b\)](#), 59(3) (with s. 55(2)); S.I. 2021/1062, reg. 2(b)

## 7 Provision of information and advice to Ministers etc. **U.K.**

- (1) The [<sup>F5</sup>CMA] has the function of—
- (a) making proposals, or
  - (b) giving other information or advice,
- on matters relating to any of its functions to any Minister of the Crown or other public authority (including proposals, information or advice as to any aspect of the law or a proposed change in the law).
- [<sup>F6</sup>(1A) The CMA may, in particular, carry out the function under subsection (1)(a) by making a proposal in the form of a recommendation to a Minister of the Crown about the potential effect of a proposal for Westminster legislation on competition within any market or markets in the United Kingdom for goods or services.
- (1B) The CMA must publish such a recommendation in such manner as the CMA considers appropriate for bringing the subject matter of the recommendation to the attention of those likely to be affected by it.]
- (2) A Minister of the Crown may request the [<sup>F7</sup>CMA] to make proposals or give other information or advice on any matter relating to any of its functions; and the [<sup>F7</sup>CMA] shall, so far as is reasonably practicable and consistent with its other functions, comply with the request.
- [<sup>F8</sup>(3) In this section—
- “market in the United Kingdom” includes—
- (a) so far as it operates in the United Kingdom or a part of the United Kingdom, any market which operates there and in another country or territory or in a part of another country or territory; and
  - (b) any market which operates only in a part of the United Kingdom;

*Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading: General functions of the CMA. (See end of Document for details)*

and the reference to a market for goods or services includes a reference to a market for goods and services; and

“Westminster legislation” means—

- (a) an Act of Parliament, or
- (b) subordinate legislation (within the meaning given by section 21 of the Interpretation Act 1978).]

#### Textual Amendments

- F5** Word in s. 7(1) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 62\(2\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F6** S. 7(1A)(1B) inserted (26.5.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), [ss. 37\(2\)](#), 164(3)(b)(iii)
- F7** Word in s. 7(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 62\(3\)](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F8** S. 7(3) inserted (26.5.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), [ss. 37\(3\)](#), 164(3)(b)(iii)

#### Modifications etc. (not altering text)

- C2** S. 7 excluded (20.9.2021) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), [ss. 31\(5\)\(b\)](#), 59(3) (with s. 55(2)); S.I. 2021/1062, reg. 2(b)

### **F<sup>9</sup>8 Promoting good consumer practice** **U.K.**

#### Textual Amendments

- F9** S. 8 omitted (1.4.2014) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 5 para. 63](#) (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

### **[<sup>F10</sup>8A Exclusion of public consumer advice scheme** **U.K.**

The [<sup>F11</sup>CMA] may not under this Part support a public consumer advice scheme, where that support of a scheme consists of providing, or securing the provision of, an arrangement for giving advice without charge to individual consumers on matters personal to them.]

#### Textual Amendments

- F10** S. 8A inserted (28.3.2013) by [The Public Bodies \(The Office of Fair Trading Transfer of Consumer Advice Scheme Function and Modification of Enforcement Functions\) Order 2013 \(S.I. 2013/783\)](#), arts. 1(2), 3
- F11** Word in s. 8A substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 2](#) (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise Act 2002, Cross Heading:  
General functions of the CMA.