International Comparative Legal Guides

Cartels & Leniency 2027

A practical cross-border resource to inform legal minds

20th Edition

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1 The Legislative Framework of the Cartel Prohibition

1.1 What is the legal basis and general nature of the cartel prohibition, e.g. is it civil and/or criminal?

The cartel prohibition in the UK is provided for under the Competition Act 1998 (the "CA98") and the Enterprise Act 2002.

The CA98 sets out the civil prohibition on anti-competitive agreements, including cartels, in Chapter I, which closely mirrors Article 101 of the Treaty on the Functioning of the European Union (the "TFEU").

The Enterprise Act 2002 introduced a criminal cartel offence. It is a criminal offence for an individual to engage in the most serious types of cartel activity, namely price-fixing, market-sharing, bid-rigging, or limiting production or supply.

1.2 What are the specific substantive provisions for the cartel prohibition?

There are three elements required for a breach of the Chapter I prohibition:

- there must be an agreement, decision or concerted practice between undertakings;
- which may affect trade within the UK (or part of it), or is likely to have an immediate, substantial and foreseeable effect on trade within the UK (or part of it); and
- which has, as its object or effect, the restriction, prevention or distortion of competition within the UK.

The Digital Markets, Competition and Consumers Act 2024 (the "DMCCA") changed the definition of the Chapter I prohibition so that it can apply to agreements, concerted practices and decisions that are implemented outside of the UK (but are likely to have an immediate, substantial and foreseeable effect on trade within the UK).

The criminal cartel offence under section 188 of the Enterprise Act 2002 specifically targets individuals who agree to make or implement arrangements relating to price-fixing, limiting supply or production, market-sharing or bid-rigging. Following reforms effective 1 April 2014, the dishonesty requirement was removed, but statutory exclusions and defences were introduced to ensure the offence targets only hard-core cartel activity.

1.3 Who enforces the cartel prohibition?

The Competition and Markets Authority (the "CMA") is the principal authority responsible for investigating and enforcing cartel prohibitions in the UK. The CMA has powers to conduct investigations, impose civil penalties, and prosecute individuals for criminal cartel offences. Civil enforcement decisions may be appealed to the Competition Appeal Tribunal (the "CAT"). In addition, sector regulators (such as the Civil Aviation Authority, the Financial Conduct Authority, the Gas and Electricity Markets Authority, the Office of Communications, the Office of Rail and Road, the Payment Systems Regulator, the Northern Ireland Authority for Utility Regulation and the Water Services Regulation Authority) have concurrent powers to enforce competition law in their respective sectors. Private parties may also bring actions for damages in the UK courts for breaches of competition law.

1.4 What are the basic procedural steps between the opening of an investigation and the imposition of sanctions?

Cartel investigations in the UK typically begin with the CMA opening a case, either on its own initiative or following a complaint or leniency application. The CMA may conduct dawn raids, request information, and interview witnesses. If the CMA considers that there has been an infringement, it issues a Statement of Objections ("SO") to the parties, setting out its provisional findings. The parties have an opportunity to respond in writing and may request an oral hearing. After considering the parties' representations, the CMA issues a final decision. If a breach is found, the CMA may impose financial penalties on undertakings and, in criminal cases, prosecute individuals. Decisions can be appealed to the CAT.

1.5 Are there any sector-specific offences or exemptions?

UK competition law does not generally provide for sector-specific cartel prohibitions or sanctions. However, certain exceptions exist. For example, the CMA has indicated that it will not enforce competition law in respect of collective bargaining arrangements, whilst agreements between small producers in the agricultural sector benefit from exemptions. Sectoral regulators have concurrent powers with the CMA to enforce competition law in regulated industries (e.g., energy, communications, and financial services).

1.6 Is cartel conduct outside your jurisdiction covered by the prohibition?

As noted above, the DMCCA has clarified the scope of the Chapter I prohibition to cover any agreement that is likely to

have an effect on trade within the UK, even if not implemented in the UK.

Additionally, the DMCCA grants the CMA explicit powers to seek information and documents from businesses and individuals located outside the UK during its competition law investigations.

Under the Enterprise Act 2002, criminal liability can arise for conduct related to agreements made outside the UK, as long as those agreements are implemented, either in whole or in part, within the UK.

2 Investigative Powers

2.1 Please provide a summary of the general investigatory powers in your jurisdiction.

The CMA has extensive investigatory powers under the CA98 and the Enterprise Act 2002. Once an investigation has been opened, the CMA may: require production of specified documents or information through formal written requests; conduct unannounced inspections (dawn raids) of business premises; conduct inspections under warrant at business or domestic premises; interview individuals, including compulsory interviews; access data held electronically on devices or in cloud infrastructure; and require explanations of documents or information supplied.

In criminal investigations, the CMA may also obtain evidence through surveillance and covert human intelligence sources under the Regulation of Investigatory Powers Act 2000. Obstruction of the CMA or failure to comply with requirements may lead to civil or criminal proceedings.

2.2 Please list any specific or unusual features of the investigatory powers in your jurisdiction.

Under the DMCCA, the CMA gained new investigative powers in CA98 investigations, including powers to "seize and sift" evidence when conducting unannounced inspections of domestic premises (which is seen as increasingly important in a remote-working environment), interview witnesses remotely, and impose fines for breaches of document preservation duties.

2.3 Are there general surveillance powers (e.g. bugging)?

The CMA does not have general surveillance powers such as bugging or wiretapping in the context of civil cartel investigations. However, for criminal cartel investigations, law enforcement agencies may use covert surveillance under the Regulation of Investigatory Powers Act 2000, but this is subject to strict legal controls and judicial oversight.

2.4 Are there any other significant powers of investigation?

The CMA has the power to conduct compulsory interviews under section 26A of the CA98, pursuant to which it may require individuals to answer questions with respect to any matter relevant to the investigation. The power is subject to the individual's right to protection against self-incrimination. In practice, interviews will usually involve the individual in question being required to answer questions on documents gathered by the CMA in connection with the investigation. The interviews are recorded and excerpts from the transcripts frequently feature in the subsequent administrative decisions.

2.5 Who will carry out searches of business and/or residential premises and will they wait for legal advisors to arrive?

Searches are carried out by CMA officials, sometimes accompanied by IT specialists or other authorised persons. Very rarely, the police may assist if necessary, particularly for searches of residential premises. The CMA is not legally required to wait for legal advisors to arrive before commencing a search, but may allow a short delay as a matter of practice, provided this does not compromise the investigation.

2.6 Is in-house legal advice protected by the rules of privilege?

Yes, under UK rules, in-house legal advice is protected by legal professional privilege, unlike the position under EU competition law.

Documents protected by legal professional privilege are not required to be disclosed to the CMA. Under UK rules, a document will be protected by legal professional privilege where it is either:

- a confidential communication between a professional legal adviser (including in-house counsel) and a client for the purpose of giving or receiving legal advice; or
- a confidential communication made in connection with, or in contemplation of, legal proceedings and for the sole or dominant purpose of those proceedings.

In the event of a dispute over the privileged status of a document that cannot be resolved through discussions between the CMA and the undertaking and/or its legal advisers, the document will be placed in a sealed envelope. The CMA will agree with the undertaking where the disputed documents are to be kept and any conditions that apply pending a decision on privilege.

2.7 Please list other material limitations of the investigatory powers to safeguard the rights of defence of companies and/or individuals under investigation.

Key safeguards to protect the rights of companies and individuals under investigation include:

- the right to legal professional privilege for communications with external lawyers and in-house counsel;
- the right against self-incrimination in criminal proceedings;
- the requirement that the CMA must obtain a warrant from a court to search residential premises;
- the requirement that the CMA's exercise of its investigatory powers must be proportionate and necessary for the purposes of the investigation; and
- the fact that the CMA's decisions, including decisions to impose penalties or interim measures, are subject to appeal to the CAT, which conducts a full merits review.

2.8 Are there sanctions for the obstruction of investigations? If so, have these ever been used? Has the authorities' approach to this changed, e.g. become stricter, recently?

Yes, there are sanctions for obstructing CMA investigations. The CMA can impose financial penalties for failing to comply

with information requests, refusing access to premises, destroying or falsifying evidence, or otherwise obstructing an investigation. In serious cases, criminal sanctions may apply, such as for intentionally destroying documents or providing false information. The CMA has imposed fines for procedural breaches and publicising enforcement action to deter obstruction.

3 Sanctions on Companies and Individuals

3.1 What are the sanctions for companies?

The CMA may: impose financial penalties of up to 10% of worldwide turnover; impose directions to terminate the infringement; impose declarations that agreements are void; and apply for director disqualification orders for up to 15 years. The CMA's guidance (CMA73, updated December 2021) sets out a stepped approach to calculating fines, with cartels typically towards the upper end of the scale (up to 30% of relevant market turnover as a starting point). Companies may face private damages actions. A company that is the addressee of a CMA infringement decision in respect of a cartel may be added to a central public debarment register and excluded from public procurement for up to five years.

3.2 What are the sanctions for individuals (e.g. criminal sanctions, director disqualification)?

Individuals may face: criminal sanctions of up to five years' imprisonment and/or unlimited fines under section 188 of the Enterprise Act 2002; director disqualification for up to 15 years; civil penalties for procedural breaches; and confiscation orders under the Proceeds of Crime Act 2002. The CMA routinely considers director disqualifications in antitrust cases. In 2023, the CMA secured disqualifications of four directors in the construction sector for periods ranging from four-and-a-half to seven-and-a-half years.

3.3 Can fines be reduced on the basis of 'financial hardship' or 'inability to pay' grounds? If so, by how much?

The CMA may consider the ability to pay when determining penalties, but reductions for financial hardship are only granted in very limited circumstances. The CMA's guidance (CMA73) states that the CMA will consider proportionality as a final step and may take into account financial hardship arguments in exceptional circumstances. Companies must provide objective evidence that payment would jeopardise economic viability or cause a market exit. Reductions are rare and discretionary.

3.4 What are the applicable limitation periods?

The limitation period for the CMA to impose a penalty for competition law infringements is generally five years from the date the infringement ceased, or from when the CMA became aware of the infringement. However, if the CMA takes investigative steps, the limitation period may be suspended. For private damages actions, the limitation period is six years from the date the cause of action accrued in England and Wales (five years in Scotland). Actions for director disqualification must be brought within two years of the relevant conduct.

3.5 Can a company pay the legal costs and/or financial penalties imposed on a former or current employee?

Companies may pay the legal costs of employees involved in investigations, subject to internal policies and the circumstances of the case. However, criminal fines imposed on individuals for cartel offences must be paid by the individual. Indemnification for criminal penalties is generally prohibited under UK law.

3.6 Can an implicated employee be held liable by his/her employer for the legal costs and/or financial penalties imposed on the employer?

In theory, employers may seek to recover damages from employees who have caused loss through unlawful conduct, including breach of competition law, but such claims are rare and are generally limited to cases of intentional or grossly negligent conduct. However, companies that have admitted breaches or otherwise have been found guilty of a competition infringement will not be permitted to file an action for damages against employees or directors where the cause of action is effectively founded upon their own illegal act (*Safeway Stores Limited v Twigger* [2010] EWCA Civ 1472).

3.7 Can a parent company be held liable for cartel conduct of a subsidiary even if it is not itself involved in the cartel?

Yes, under the "single economic entity" doctrine, a parent company can be held jointly and severally liable for a subsidiary's cartel conduct if it exercises decisive influence over the subsidiary's commercial policy. There is a rebuttable presumption of decisive influence where the parent holds all or nearly all (typically 90% or more) of the shares.

4 Leniency for Companies

4.1 Is there a leniency programme for companies? If so, please provide brief details.

Yes, the CMA operates a leniency programme for undertakings and individuals under both civil and criminal regimes.

Depending upon the circumstances, benefits may include: complete immunity from fines for undertakings; immunity from criminal prosecution for individuals; and immunity from director disqualification (subject to conditions). Leniency does not protect against private damages actions.

The CMA imposes stringent conditions: full, continuous and expeditious cooperation; acceptance of liability; gathering and preserving evidence; ceasing involvement in the cartel; and not disclosing the leniency application. Timing is critical since, under the updated CMA210 guidance on leniency and no-action applications in cartel cases (the "Updated CMA210 Leniency Guidance"), acceptance of participation and liability may be deferred until the point of signing the leniency agreement and leniency is unavailable once a SO is issued or an individual is charged.

Three categories exist: Type A immunity (first to come forward before investigation opens; blanket immunity; and, in relation to the conduct for which immunity was granted, not subject to the competition exclusion or debarment regime introduced under the Procurement Act 2023); Type B immunity (first to seek leniency after investigation commences; discounts on financial penalties unlikely to exceed 75%; immunity from

director disqualification available only at the CMA's discretion; and immunity from criminal prosecution available at the CMA's discretion except in "*exceptional circumstances*"); and Type C leniency (subsequent applicants; discretionary reduction in fines unlikely to exceed 50%; immunity from director disqualification available only at the CMA's discretion; and immunity from criminal prosecution available at the CMA's discretion except in "*exceptional circumstances*").

The Updated CMA210 Leniency Guidance also expanded the definition of "cartel activity" to reflect the latest case law and CMA practice, and includes additional examples for which leniency is "*likely to be available*" such as conduct in labour markets (wage-fixing, no-poach agreements), algorithmic collusion, and agreements that limit innovation (including to achieve sustainability goals).

4.2 Is there a 'marker' system and, if so, what is required to obtain a marker?

Yes, the CMA operates a marker system. Applicants must provide: the identity of the applicant; the parties involved; the products/services affected; the territories affected; the duration; and the nature of conduct. The marker reserves the applicant's place in the queue, allowing time to gather evidence. The marker must be "perfected" by submitting a complete application within a specified period (typically weeks), or it lapses.

4.3 Can applications be made orally (to minimise any subsequent disclosure risks in the context of civil damages follow-on litigation)?

Yes, leniency applications can be made orally to the CMA, although the Updated CMA210 Leniency Guidance introduces a new online tool (SharePoint Online) as the default platform for submitting leniency statements. The CMA will record applications and may require written confirmation, but the primary route is now digital rather than oral. The shift is designed to make the application process quicker, easier and more accessible for potential leniency applicants.

4.4 To what extent will a leniency application be treated confidentially and for how long? To what extent will documents provided by leniency applicants be disclosed to private litigants?

The CMA treats leniency applications as confidential during investigations. The identity and information provided are protected until the CMA issues an SO or takes enforcement action. Once a decision is issued, certain information may become public, including which parties received leniency.

Leniency statements and settlement submissions cannot be disclosed in damages proceedings at any time. Pre-existing documents submitted with leniency applications may be subject to disclosure, subject to usual rules on privilege and confidentiality.

4.5 At what point does the 'continuous cooperation' requirement cease to apply?

The requirement for continuous cooperation lasts until the CMA has concluded its investigation and any related proceedings, including appeals. The applicant must continue to provide information, respond to requests, and assist the CMA throughout the process to maintain eligibility for immunity or a reduction in fines.

4.6 Is there a 'leniency plus' or 'penalty plus' policy?

Yes, the CMA operates a "leniency plus" policy. If a company or individual cooperating in one cartel investigation provides information about a separate cartel, they may receive additional leniency (a further reduction in fines) in the original case. "Leniency plus" discounts are generally unlikely to exceed 5%, other than in exceptional circumstances. The Updated CMA210 Leniency Guidance removes the availability of "leniency plus" where a Type B or Type C applicant on one market reports "completely separate cartel activity" in another market unless they obtain Type A immunity in that second market. The previous availability of "leniency plus" for Type B applicants reporting separate cartel activity has been removed. The CMA's stated rationale is to ensure that the benefits of "leniency plus" do not distort the incentive for businesses to come forward promptly as a first reporter.

5 Whistle-blowing Procedures for Individuals

5.1 Are there procedures for individuals to report cartel conduct independently of their employer? If so, please specify.

Yes, individuals can report suspected cartel conduct to the CMA through: a dedicated cartels hotline; an online reporting form; or email/post. Reports can be made anonymously, and are treated confidentially. The CMA offers rewards of up to £250,000 for information about cartels.

Individuals who have participated in cartel activity may apply for a "no-action letter" granting immunity from criminal prosecution. The CMA's guidance explains that individuals can apply independently of their employer. To qualify, the individual must: be the first to come forward; provide all available information and evidence; maintain continuous cooperation; and not have coerced others to participate.

The CMA also offers financial rewards in certain cases for information leading to successful enforcement action.

6 Plea Bargaining Arrangements

6.1 Are there any early resolution, settlement or plea bargaining procedures (other than leniency)? Has the competition authorities' approach to settlements changed in recent years?

Yes, the UK regime provides two principal forms of administrative settlement: settlement procedure; and commitments.

Settlement procedure: Undertakings can admit breach and accept a streamlined procedure in return for a penalty reduction of up to 20% (pre-SO) or 10% (post-SO). Requirements include: clear admission of liability; ending the infringement; confirming payment of any fine; and agreeing not to appeal. If a party subsequently appeals, the CMA can withdraw the settlement discount.

Commitments: Parties may offer binding commitments to address competition concerns. If accepted, the case closes without a finding of infringement or fine. The CMA is unlikely to accept commitments for secret, hard-core cartels.

There have been examples of "hybrid" settlements, where some but not all parties settle. Most CMA penalty decisions in 2023 involved settlement discounts. Commitments remain an effective tool for non-hard-core cases.

7 Appeal Process

7.1 What is the appeal process?

In the UK, companies and individuals subject to a decision by the CMA – including the imposition of fines – may appeal to the CAT. The CAT is an independent judicial body that hears appeals on both the merits and the law. Appeals must be lodged within a specified period (usually two months from the CMA's decision). The CAT has the power to uphold, vary, or set aside the CMA's decision, and may substitute its own decision or remit the matter back to the CMA. Further appeals on points of law may be made to the Court of Appeal (England and Wales) or the Inner House of the Court of Session (Scotland), and ultimately to the Supreme Court, subject to permission.

7.2 Does an appeal suspend a company's requirement to pay the fine?

Filing an appeal does not automatically suspend payment. However, a stay may be granted, considering factors such as: merits of the appeal; potential impact on the appellant; public interest; and whether security can be provided.

7.3 Does the appeal process allow for the cross-examination of witnesses?

Yes, the appeal process before the CAT allows for oral hearings, during which witnesses may be called and cross-examined by both the appellant and the CMA.

8 Damages Actions

8.1 What are the procedures for civil damages actions for loss suffered as a result of cartel conduct? Is the position different (e.g. easier) for 'follow-on' actions as opposed to 'stand alone' actions?

Claims may be brought in the High Court or the CAT. Follow-on actions are based on a prior infringement decision, which is binding evidence of the infringement – claimants need only prove causation and quantum. Stand-alone actions require claimants to prove both the infringement and resulting loss, making them more complex.

8.2 Do your procedural rules allow for class-action or representative claims?

Yes, under the Consumer Rights Act 2015, collective proceedings can be brought in the CAT on an "opt-in" or "opt-out" basis. Opt-out proceedings automatically include all UK customers unless they actively opt out. In the Supreme Court's judgment of 18 December 2025 in the *FX collective proceedings* (*Evans v Barclays Bank plc & others*), the court ruled that there will be circumstances in which it will be appropriate for the CAT to conclude that a claim should not be permitted to proceed on an opt-out basis, even where the proposed class representative is not willing or able to bring an opt-in claim.

An application for a Collective Proceedings Order ("CPO") must be made, and the CAT holds a certification hearing to assess suitability.

8.3 What are the applicable limitation periods?

In the ordinary course, six years from when the cause of action accrued (five years in Scotland). However, limitations rules in the UK are complex and in practice the applicable legal framework will depend heavily upon the date when the cause of action has arisen and, in particular, whether it accrued prior to or following March 2017, following which a more generous regime was introduced under the Damages Directive.

8.4 Does the law recognise a 'passing on' defence in civil damages claims?

Yes, UK law recognises the "passing on" defence. Defendants may argue that the claimant passed on all or part of any overcharge resulting from the cartel to its own customers, thereby reducing the claimant's recoverable damages. The burden of proof is on the defendant to establish passing on. Indirect purchasers may also bring claims, but must show that the overcharge was passed on to them.

8.5 What are the cost rules for civil damages follow-on claims in cartel cases?

The general rule in UK civil litigation is that the losing party pays the winning party's reasonable legal costs ("costs follow the event"). The court or the CAT has discretion to vary this rule, particularly in collective proceedings, where costs management and funding arrangements may differ.

8.6 Have there been any successful follow-on or stand alone civil damages claims for cartel conduct? If there have not been many cases decided in court, have there been any substantial out of court settlements?

Yes, there have been several successful follow-on damages claims in the UK, including cases arising from the *Car Carrier*, *Trucks* and *Air Cargo* cartels, as well as the *Interchange Fees* litigation. Many claims have settled out of court, often for substantial sums, reflecting the strength of follow-on actions where liability has already been established by a competition authority. Stand-alone actions are less common and more challenging, but have also been brought. The CAT and the High Court have developed significant case law on quantification of damages, collective proceedings, and the passing on defence.

9 Miscellaneous

9.1 Please provide brief details of significant, recent or imminent statutory or other developments in the field of cartels, leniency and/or cartel damages claims.

UK government consultation

On 19 July 2026, the UK government launched a consultation seeking views on reform proposals to simplify and improve:

- the efficiency of the opt-out collective actions regime (including the bringing and financing of a claim, alternative dispute resolution and settlement, and how the regime interacts with public enforcement);
- regulatory appeals (including the transfer of regulatory appeals currently heard by the CMA to the CAT, harmonisation of the appeal standard and eligibility criteria across sectors, and the costs associated with regulatory appeals); and

- competition enforcement regimes (including measures to make antitrust investigations faster and more efficient, enabling the CMA to address anti-competitive conduct more quickly while preserving procedural fairness).

The Procurement Act 2023
The Procurement Act 2023 Came into force on 24 February 2025, introducing a new debarment and exclusion regime for public procurement. The Act creates a mandatory exclusion ground for suppliers convicted of cartel offences and a discretionary exclusion ground for undertakings that have been found to have infringed competition law under the CA98. A central debarment register, managed by the Procurement Review Unit (part of the Cabinet Office), can bar suppliers from all public contracts for up to five years. Suppliers that obtain Type A immunity under the CMA's leniency programme will not be subject to the competition exclusion or debarment regime in relation to the conduct for which immunity was granted. The Updated CMA210 Leniency Guidance integrates the Procurement Act 2023 regime, and protection from debarment is now a guaranteed benefit of Type A immunity.

The DMCCA
The competition law provisions came into force on 1 January 2025, and introduced: enhanced investigatory powers (extended "seize and sift" powers and strengthened powers for remotely stored information); increased penalties (maximum for procedural violations increased from 1% to 5% of worldwide turnover); a new digital markets regime overseen by the Digital Markets Unit; and consumer protection reforms (including bans on drip pricing, fake reviews, and new subscription contract rules), which came into force 6 April 2025. The DMCCA also grants the CMA exemplary damages powers (or "punitive damages") in private competition actions (excluding collective proceedings).

Commitments
In October 2026, the CMA accepted commitments from seven UK housebuilders to close its investigation into suspected illegal exchange of competitively sensitive information. In addition to a prohibition on sharing certain specified information, the commitments include a £100 million payment to affordable housing programmes. The case is an important example of the CMA accepting sizeable commitments to close a cartel investigation that otherwise might have run the course to an infringement decision.

Leniency programme
The CMA published the Updated CMA210 Leniency Guidance on 28 October 2025. This guidance builds on the CMA's past case experience and aims to make applications for Type A immunity more attractive relative to Type B and C leniency applications. These changes aim to deter companies with a "wait and see" strategy from delaying leniency requests until after an investigation begins.

EU–UK cooperation
The EU–UK Competition Cooperation Agreement was signed on 25 February 2026 and is expected to enter into force in 2026. It will enhance information sharing and coordination of enforcement activities between the CMA, the European Commission, and EU national competition authorities.

Focus on labour markets
The CMA has shown increasing interest in wage-fixing, no-poach agreements and information exchanges relating to employees, issuing guidance in February 2023 and in September 2025. In March 2025, the CMA issued its first ever infringement decision concerning wage collusion when it fined a number of companies in the sports broadcasting sector for exchanging competitively sensitive information regarding pay rates for freelance workers.

CMA policy paper: rigged bids, real costs: a case for urgent action on bid rigging in UK public procurement
On 8 September 2026, the CMA published a policy paper making the case for stronger action against bid rigging in UK public procurement. Drawing on research by the Organisation for Economic Co-operation and Development (OECD), the paper notes that bid rigging can raise public procurement prices by 20% or more at taxpayers' expense, with wider harmful effects on quality, innovation and choice. The paper draws on CMA casework, the structural characteristics of procurement markets, academic research, evidence gathered by national competition authorities, international enforcement experience and recent reforms in comparator jurisdictions.

9.2 Please mention any other issues of particular interest in your jurisdiction not covered by the above.

The CMA's 2026 to 2029 Strategy
On 23 March 2026, the CMA published its first Annual Plan under its new 2026 to 2029 Strategy. The stated focus is on key growth sectors and areas that can help household prosperity. Priority enforcement areas are public procurement, labour markets, and algorithmic collusion.

Sustainability and competition law
The topic of sustainability is a key area of focus for the CMA, as with other international competition regulators. The CMA's 2025 infringement decision finding anti-competitive conduct in the recycling of "end-of-life" cars demonstrates its commitment to investigate practices it suspects may impact on the achievement of sustainability goals. The CMA's Green Agreements Guidance (published in October 2023) provides clarity on how the Chapter I prohibition applies to environmental sustainability agreements and signals a more permissive approach to such agreements.

Hybrid settlements
There has been significant growth in the use of "hybrid" settlement agreements, whereby one (or more) of the parties admits an infringement in return for a lower fine, but not all parties to an alleged infringement do so. These can raise concerns for parties regarding procedural fairness, in particular around the presumption of innocence. The CMA continues to use such settlements, and this appears likely to continue.

Director disqualification
The CMA remains committed to pursuing enforcement against individuals as a deterrent to anti-competitive behaviour. The CMA now routinely considers the possibility of seeking director disqualifications in antitrust cases and has secured multiple disqualifications in recent years.



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