



# Competition Act 1998

## 1998 CHAPTER 41

### PART I

#### COMPETITION

### CHAPTER II

#### ABUSE OF DOMINANT POSITION

##### *The prohibition*

#### **18 Abuse of dominant position**

- (1) Subject to section 19, any conduct on the part of one or more undertakings which amounts to the abuse of a dominant position in a market is prohibited if it may affect trade within the United Kingdom.
- (2) Conduct may, in particular, constitute such an abuse if it consists in—
  - (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions;
  - (b) limiting production, markets or technical development to the prejudice of consumers;
  - (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;
  - (d) making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of the contracts.
- (3) In this section—
  - “dominant position” means a dominant position within the United Kingdom; and
  - “the United Kingdom” means the United Kingdom or any part of it.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The prohibition imposed by subsection (1) is referred to in this Act as “the Chapter II prohibition”.