



# Enterprise Act 2002

## 2002 CHAPTER 40

### PART 6

#### CARTEL OFFENCE

##### *Cartel offence*

#### [<sup>F1</sup>190A Cartel offence: prosecution guidance

- (1) The CMA must prepare and publish guidance on the principles to be applied in determining, in any case, whether proceedings for an offence under section 188(1) should be instituted.
- (2) The CMA may at any time issue revised or new guidance.
- (3) Guidance published by the CMA under this section is to be published in such manner as it considers appropriate.
- (4) In preparing guidance under this section the CMA must consult—
  - (a) the Director of the Serious Fraud Office;
  - (b) the Lord Advocate; and
  - (c) such other persons as it considers appropriate.]

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#### Textual Amendments

- F1** S. 190A inserted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 47\(7\)](#), [103\(3\)](#) (with [s. 47\(8\)](#)); [S.I. 2014/416](#), [art. 2\(1\)\(b\)](#) (with [Sch.](#))

**Status:**

Point in time view as at 01/04/2014.

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise Act 2002, Section 190A.