



# United Kingdom Internal Market Act 2020

## 2020 CHAPTER 27

### PART 4

#### INDEPENDENT ADVICE ON AND MONITORING OF UK INTERNAL MARKET

##### *Reporting, advisory and monitoring functions*

#### **34 Advising etc on proposed regulatory provisions on request**

- (1) Where the condition in subsection (3) is met, the CMA may at the request of a relevant national authority give advice, or provide a report, to the authority with respect to a qualifying proposal.
- (2) In subsection (1) “qualifying proposal” means a proposal of—
  - (a) the requesting authority, or
  - (b) a person or body on whose behalf the requesting authority makes the request, that a regulatory provision applying to the relevant part of the United Kingdom should be passed or made.
- (3) The condition is that it appears to the requesting authority that—
  - (a) the regulatory provision to which the proposal relates would fall within the scope of this Part and be within relevant competence, and
  - (b) the proposal should be further considered in the light of the significance of its potential effects on the operation of the internal market in the United Kingdom.
- (4) Advice given, or a report provided, under this section may consider among other things the potential economic effects of the proposed regulatory provision on the effective operation of the internal market in the United Kingdom, including—
  - (a) indirect or cumulative effects;
  - (b) distortion of competition or trade;
  - (c) impacts on prices, the quality of goods and services or choice for consumers.

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*Changes to legislation: There are currently no known outstanding effects for the United Kingdom Internal Market Act 2020, Section 34. (See end of Document for details)*

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- (5) Subsections (1) to (3) apply in relation to two or more relevant national authorities acting jointly as those subsections apply in relation to a single relevant national authority.
- (6) A request under subsection (1) must set out the reasons for making it.
- (7) If the CMA declines to provide a report requested under subsection (1) it must—
  - (a) give to the requesting authority (or if more than one, to each of them simultaneously) a notice of its reasons for doing so, and
  - (b) publish the notice in such manner as it considers appropriate.
- (8) Where the CMA gives advice or reasons, or provides a report, under this section to two or more relevant national authorities acting jointly, the CMA must give the advice or reasons, or provide the report, to each of them simultaneously.
- (9) Where the CMA has on a particular day (“day 1”) given advice, or provided a report, under subsection (1) the CMA must provide a copy of the advice or report to each relevant national authority who did not request the advice or report—
  - (a) as soon as reasonably practicable after the requesting authority (or each requesting authority) has informed the CMA that it may do so, or
  - (b) (if sooner), by the end of the 15th day after day 1.
- (10) Where the CMA provides a report under this section it must, as soon as reasonably practicable after it has fully complied with subsection (9), publish the report in such manner as it considers appropriate.
- (11) In this section “relevant part of the United Kingdom”, in relation to a relevant national authority, means—
  - (a) in the application of this section to the Scottish Ministers as relevant national authority, Scotland;
  - (b) in the application of this section to the Welsh Ministers as relevant national authority, Wales;
  - (c) in the application of this section to a Northern Ireland department as relevant national authority, Northern Ireland;
  - (d) in the application of this section to the Secretary of State as relevant national authority, any part of the United Kingdom.

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**Commencement Information**

**II** S. 34 in force at 20.9.2021 by S.I. 2021/1062, reg. 2(d)

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