

CMA launches consultation on updated merger guidance

Press release

The CMA has today launched a consultation on updates to 2 of its merger guidance documents.



The guidance has been updated in preparation for the end of the Transition Period following the UK's departure from the European Union. [The updates to the guidance](#) also reflect the consolidation of a series of changes in UK merger control over recent years, as the CMA's practice has developed and the UK Courts have clarified various aspects of the legislative framework.

The first document to be updated is the CMA's jurisdictional and procedural guidance ([CMA2](#)). This is the core document that sets out the CMA's procedures in operating the merger control regime and includes guidance on when the CMA will have jurisdiction to review mergers.

The updated guidance provides an overview of the CMA's practice across all aspects of its phase 1 and phase 2 merger investigations. In light of the higher number of 'multi-jurisdictional' merger cases that the CMA is likely to investigate following the end of the Transition period, new guidance is provided on the steps that the CMA can take to facilitate cooperation with other competition authorities.

The second document to be updated ([CMA56](#)) explains the operation of the CMA's mergers intelligence function.

The updated guidance provides more information on how the CMA carries out these functions in practice and explains how the mergers intelligence process will operate in relation to multi-jurisdictional mergers.

Further detail on all proposed revisions to both documents can be found in the [Consultation Document](#).

The CMA now welcomes views on the revised guidance documents from businesses, their legal and other advisers, and other interested parties by 4 December

2020. The CMA expects to have the final updated guidance in place by the end of 2020 to coincide with the end of the Transition Period.

The CMA also proposes to consult on updates to its merger assessment guidelines ([CC2/OFT1254](#)) and will issue a separate consultation on these updates later this month.

Notes to editors:

1. Media queries should be directed to press@cma.gov.uk or 020 3738 6460
2. The CMA's [consultation document can be read here](#).
3. Responses to the consultation document should be provided to MergersProceduralGuidance@cma.gov.uk by no later than 17:00 on 4 December 2020.
4. Following the consultation, the CMA will assess submissions before deciding whether to make the proposed changes, or whether any further changes are needed to either document. A summary of the responses received during the consultation will be made available on our website.

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