

[News story: CMA tightens its approach to requests for internal documents](#)

The Competition and Markets Authority (CMA) is asking for comments from businesses and their legal representatives on guidance that explains when the CMA is likely to ask merging businesses to provide internal documents, and how they will be expected to respond. It also makes clear that the CMA is likely to use its compulsory information gathering powers as standard in future where internal documents are requested in merger investigations.

The guidance sets out a general tightening-up of the CMA's approach, and provides guidance on what steps businesses should take to respond to requests for internal documents fully and accurately. The more consistent use of the CMA's compulsory powers will help it to fine businesses where they fail to respond to requests without a reasonable excuse. These changes are designed to address concerns in some recent cases where businesses had failed to provide all the information requested, or provided it slowly.

It is also intends to provide further clarity about the CMA's likely approach, helping businesses that are considering transactions to plan more effectively for the merger review process.

The [consultation and draft guidance](#) is available for comment until 25 April 2018.