

# Press release: CMA issues strong warning as information sharing fine is upheld

In December, the Competition and Markets Authority (CMA) found that Balmoral, a supplier of galvanised steel water tanks, along with 3 other businesses, had breached competition law by taking part in an exchange of competitively-sensitive information on prices and pricing intentions.

Balmoral was fined £130,000 for taking part in this unlawful information exchange. The exchange took place at a single meeting in July 2012 at which Balmoral was invited to join a long-running price-fixing cartel. Balmoral refused to take part in the price-fixing cartel, but exchanged competitively-sensitive information with its competitors. This meeting was secretly recorded by the CMA.

Balmoral was not a party to the main price-fixing cartel formed by other competitors, which was the subject of a separate [infringement decision](#) by the CMA.

The CMA welcomes [today's judgment](#) which sends a crucial message to businesses about compliance with competition law.

The case highlights an important point for companies and individuals who are invited to take part in anti-competitive collusion. Specifically:

- Exchanging competitively-sensitive confidential information with competitors (for example, about prices or pricing strategy), even at a single meeting, can be a breach of competition law with serious consequences for the businesses involved.
- Any business that is approached to join a cartel, or become involved in anti-competitive arrangements – for instance, to coordinate pricing or to share out markets between them – must immediately reject the approach, and must do so clearly and unequivocally. It is not enough to refrain from price-fixing or market-sharing. The business (and its representatives) must leave the meeting, and make clear and explicit its refusal to take part.
- The business must also decline to take part in any discussions that involve the sharing of confidential and competitively-sensitive pricing information.

Michael Grenfell, the CMA's Executive Director for Enforcement, said:

The CMA brought this case to send a strong signal to companies about these critical compliance obligations, which are needed to protect customers from the higher prices which result when competing businesses collude on price or business strategy,

including through the exchange of competitively-sensitive information.

The CMA is aware that Balmoral did not participate in the main price-fixing cartel, and this is reflected in the relatively low fine imposed on it. But exchanging competitively-sensitive confidential information, even at just one meeting, is itself a breach of competition law. We welcome today's judgment for upholding our view and making this clear in law.

The CMA is [cracking down on cartels](#) across all sectors. Any company that is approached to join a cartel or other anti-competitive arrangement should immediately and unequivocally reject the approach and avoid taking part in any exchange of commercially sensitive information, or risk breaking the law.

### **Notes for editors**

1. Any business found to have infringed the prohibitions on anti-competitive agreements and on abuse of dominance in the Competition Act 1998 or the Treaty on the Functioning of the EU can be fined up to 10% of its annual worldwide group turnover. In calculating financial penalties, the CMA takes into account a number of factors including seriousness and duration of the infringement(s), turnover in the relevant market and any mitigating and/or aggravating factors.
2. In its decision on the exchange of competitively-sensitive information, the CMA found that Balmoral Tanks Ltd, Franklin Hodge Industries Ltd, Galglass Ltd and KW Supplies Ltd breached competition law by exchanging information regarding their current pricing and future pricing intentions, thereby reducing uncertainty among the suppliers about their likely pricing intentions. This included a discussion of target price ranges for 2 sizes of tank.
3. Further information on the case, including links to the CMA's published decisions on this case, and on a related case involving an actual price-fixing cartel in this market among the other parties (to which Balmoral was not a party), is on the [case page](#).
4. The level of Balmoral's fine reflects a number of factors, including Balmoral's refusal to join the cartel arrangement and the overall pro-competitive effect of its entry on the market in late 2011, as well as Balmoral's significant co-operation in the CMA's civil and related [criminal investigation](#). Before Balmoral Tanks' entry, the market for cylindrical galvanised steel tanks had been subject to a long-running cartel arrangement between all the UK suppliers which was the subject of a separate infringement decision; involving price-fixing, bid-rigging and market sharing by way of customer allocation. Balmoral Tanks Ltd was not a party to these long-running cartel arrangements.

5. No additional penalty has been imposed on the other 3 companies involved in the separate information exchange infringement, who have been fined over £2.6 million for their involvement in the cartel during the same period.
  6. Anyone who has information about a cartel is encouraged to call the CMA cartels hotline on 020 3738 6888 or email [cartelshotline@cma.gsi.gov.uk](mailto:cartelshotline@cma.gsi.gov.uk). The CMA crackdown on cartels campaign webpage is: <https://stopcartels.campaign.gov.uk>
  7. The CMA has produced a [short film](#) explaining what information shouldn't be shared with competitors.
  8. For CMA updates, follow us on Twitter [@CMAgovuk](#), [Flickr](#) and [LinkedIn](#).
  9. Media queries should be sent to: [press@cma.gsi.gov.uk](mailto:press@cma.gsi.gov.uk) or journalists can call 020 3738 6337.
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## [News story: UK sign Le Bourget Momentum at the Paris Air Show](#)

On 21 June 2017 at the Paris Air Show, the Defence Safety Authority Chief Technical Officer Rear Admiral Rick Thompson RN signed the Le Bourget Momentum on behalf of the Military Aviation Authority (MAA).

The stated aim of Le Bourget Momentum, a French Direction de la Sécurité Aéronautique d'État (DSAÉ) initiative, is to improve the efficiency of Recognition of another National Military Airworthiness Authority (NMAA) by minimising the number of NMAA interactions.

The Recognition of another NMAA is a process by which an informed and auditable judgement can be made on the extent to which another NMAA's activities or products would be acceptable to the Recognising NMAA.

Signing Le Bourget Momentum represents an intent for deeper defence co-operation across participating nations, in order to increase the output of defence spending and to optimise the use of national resources to enhance the level of safety in military air operations.

Nations who participated in the signing of Le Bourget Momentum included: Australia, Austria, Belgium, Czech Republic, Finland, France, Germany, Greece, Italy, Hungary, Netherlands, Norway, Poland, Portugal, Romania,

Spain, Sweden and the UK.

The MAA currently have Recognition Agreements in place with NMAA of the following countries: France, Germany, Italy, Spain and the USA (Army, Navy and Air Force).

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## [Driving with Parkinson's disease](#)

Parkinson's disease is a progressive condition that may affect someone's ability to drive safely. Dr Wyn Parry, DVLA's Senior Medical Adviser, tells us more about driving with this condition.



I joined DVLA as Senior Medical Adviser after thirty years in the NHS. It's my job to advise on how certain medical conditions can affect someone's ability to drive. After blogging last year about [driving with diabetes](#), this time I'd like to focus on driving with [Parkinson's disease](#).

Parkinson's disease affects the nervous system and may affect the muscles, causing movement problems. In some circumstances, it can even affect the functions of the brain.

### **Driving a vehicle safely**

Being able to drive a vehicle requires high levels of skill and ability. A driver either needs to be unaffected by a medical condition, or have a

medical condition that is controlled so that symptoms are highly unlikely to cause any problems.

Sadly, Parkinson's is a progressive condition and deterioration is inevitable. It'll affect many activities, including driving. This is why it is so important that all drivers who are diagnosed with Parkinson's must [tell DVLA](#). The rate of deterioration varies, but recognising that it will happen is important. It allows the patient and their family time to make plans for any lifestyle changes that may be necessary.

Knowing you will eventually lose the ability to drive is never easy to accept. But it may be more bearable if the person has time to adjust and plan alternative ways of travel. For example: public transport, taxis, or lifts from friends and relatives.

For [professional drivers](#), who must demonstrate a greater level of fitness to drive, it may involve reviewing work options for the future.

### **How DVLA makes a decision about drivers with Parkinson's**



Once DVLA is told about a driver with Parkinson's we'll ask the driver for information about their condition. We'll also talk to the [healthcare professionals](#) involved in their diagnosis and treatment – like their GP, consultant or specialist nurse.

Information we usually ask for includes details about how long the individual has had Parkinson's, the level of deterioration and any changes in treatment. All this information is crucial for us to be able to make an informed decision on whether they can continue to drive safely.

Where possible we always try to offer a driving licence to a driver with a medical condition, but only if it's safe to do so. Our priority is to always maintain road safety for the driver and other road users.

For many drivers with medical conditions like Parkinson's, we might offer a short-term driving licence. This could be for one or three years. We tend to start going down this route when a driver's condition begins to deteriorate – a longer term licence may be offered earlier on, with subsequent licence periods getting shorter over time.

**For more information about driving with Parkinson's**

You can visit [Parkinson's UK's](#) website.

Follow DVLA on [Twitter](#), [Facebook](#) and [LinkedIn](#) and subscribe to our [Digital Services Blog](#).

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## **[Press release: 100 year old retired scientist makes an emotional return to Porton Down](#)**

During the week of his 100th birthday, a former Porton Down scientist returned for a surprise and emotional visit – almost 40 years after his retirement. The visit was arranged by his son John and staff at the Defence Science and Technology Laboratory (Dstl).

As a specialist scientist, Gilbert spent his entire working life at the site spanning the Second World War through to the Cold War between 1940 and 1978. His work at the time was cutting edge and involved working mainly in chemical warfare developing respirators to protect troops as well as the civilian population.

He also worked on shark repellents and dispersion involving several sea-going trials in the 1960s. Gilbert's son, John, says he was a brave man who would often put himself forward for the most dangerous of missions and studies – all in a bid to protect the United Kingdom, its population and its Armed Forces.

As one of Porton's oldest surviving retired scientists, Gilbert met with the newest Porton Down recruit, engineering apprentice Christopher King, who said:

It was a real honour to meet Gilbert and incredible to hear about

the history of Dstl. I love history, engineering and science, so it's a big deal to meet someone who's been working on previous technology, systems and science. It's also amazing to see how much technology has progressed. I only started my apprenticeship in September and who knows – my career could span as long as Gilbert's.

Gilbert was given the VIP treatment, visiting some of the most innovating parts of the Dstl site, including [Porton Man](#), a robot mannequin that helps test the next generation of chemical and biological protective suits for the UK Armed Forces.

On witnessing how technology has advanced since his time at Porton Down, Gilbert said:

Oh, it's unbelievable. I never expected so much fuss. I was surprised that my son John had actually approached the station, because I knew it was extremely difficult to come in here – I was really surprised and I've had such a marvellous time. It's tremendously different now from when I was here – I'm amazed to see how much has changed. The work that is done now to protect the UK is incredible – there is no question about its importance.

#### [Gilbert speaks about his visit to Porton Down](#)

Many of the scientists were extremely excited by the visit and were keen to hear about the legacy work that Gilbert was involved in.

Colin Willis, a Principal Adviser in Chemical Protection and Detection at Dstl, said:

It was an absolute pleasure to meet Gilbert and to have spoken to him, and particularly to hear some of his stories. We shouldn't forget that without a lot of the research done by Gilbert and his generation we would not be able to do much of the work we do today. The work he did was essential and we are using the results of that to help provide better defence for the UK Armed Forces.

Gilbert was presented with a framed certificate of appreciation for his contribution to science, as well as a signed book about the history of Porton Down. It was indeed a special day for Gilbert, who was visibly moved at the end of his visit.

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## Press release: Give safely to charities helping people fleeing Myanmar, Charity Commission urges

The Charity Commission is encouraging the public to donate generously and safely to charities delivering humanitarian aid to help the people who have fled violence in Myanmar. The safer giving advice issued by the Commission follows the launch of the emergency appeal by the Disasters Emergency Committee (DEC) on Wednesday.

The Commission wants to ensure that donations are reaching genuine charities during this critical time where humanitarian aid is needed to provide shelter, medical care, water and food for hundreds of thousands of people.

Most fundraising is genuine, but the Commission stresses that fraudsters and criminals do take advantage of public generosity during times of increased fundraising; methods can include fake appeal websites, email appeals that falsely use the name of genuine charities, or appeals from fake charities.

The regulator says that falling victim to false appeals is avoidable if a few simple steps are taken before giving, including checking a charity's name and registration number against its [check charity](#) tool and being careful when responding to emails or clicking links within them.

**Helen Stephenson, Chief Executive of the Charity Commission, said:**

It is truly chilling to hear about the plight of people fleeing violence in Myanmar, and the terrible conditions they are currently facing. We want people to continue donating generously and confidently to charities delivering essential humanitarian aid, to ensure that funds are reaching the end cause safely.

It is unfortunate that times of crisis and need can trigger fraudsters to take advantage of people's generosity, but by following a few simple steps, you can make sure your donation goes to the registered charities doing vital work, including the DEC member charities.

The DEC brings together 13 registered UK aid charities who are experts in humanitarian aid and deliver efficient disaster responses to those affected by the appealed crises. There are also other registered charities doing critical work to offer or support humanitarian aid during this time.

The Commission is advising people to take a few simple steps to avoid



fraudulent fundraising:

- before giving, check the charity's name and registration number on the [check charity](#) tool. This will help you make an informed decision before donating by providing information about each charity, including its charitable purposes and activities, registered contact details, and its compliance and financial history and accounts.
- take care when responding to emails or clicking links to a charity's website to ensure that they are genuine. Instead, search online for your preferred charity to ensure you have the right web address.
- if you have any concerns about the legitimacy of a request for donations that appears to come from a charity, don't hesitate to contact that charity directly to request further information.
- when approached by collectors on the street, check whether they are wearing a proper ID badge and that any collection tin is sealed.

If you think that a collection or appeal is not legitimate, you can report it as a crime online to [Action Fraud](#) or call them on 0300 123 2040 or online.

You can also [complain about a charity](#) on GOV.UK

Any concerns about fundraising standards should be sent to the [Fundraising Regulator](#).

Ends

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#### **Notes to editors**

1. The Charity Commission is the independent regulator of charities in England and Wales
2. Search for charities on our online [check charity tool](#).