



WEBINAR SOBRE COMPETENCIA Y ESTADO DE ALARMA COVID-19

Respuesta de otras jurisdicciones a la misma situación excepcional: United Kingdom

24 de abril de 2020

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I. Comunicaciones, Orientaciones y Actuaciones de la CMA

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Guidance and open letters

[Merger assessments during the Coronavirus \(COVID-19\) pandemic](#)

22 April 2020 Guidance

[CMA approach to business cooperation in response to Coronavirus \(COVID-19\)](#)

25 March 2020 Guidance

[Coronavirus \(COVID-19\): CMA taskforce](#)

20 March 2020 Guidance

[Coronavirus \(COVID-19\): CMA open letter to pharmaceutical and food and drink industries.](#)

20 March 2020 Correspondence

Published 20 March 2020

Last updated 22 April 2020 [+ show all updates](#)

News story

COVID-19: sales and pricing practices during Coronavirus outbreak

The CMA has been monitoring reports of changes to sales and pricing practices during the coronavirus outbreak.

Published 5 March 2020

From: [Competition and Markets Authority](#)

Published 20 March 2020

From: [Competition and Markets Authority](#)

Documents



[Open letter to the pharmaceutical and food and drink industries.](#)

PDF, 114KB, 2 pages

Published 20 March 2020

From: [Competition and Markets Authority](#)

Documents



[CMA COVID-19 taskforce](#)

HTML

Details

More information on the Competition and Markets Authority's (CMA) response to the ongoing Coronavirus (COVID-19) outbreak can be found on the [CMA Coronavirus \(COVID-19\) response page](#).

I. Comunicaciones, Orientaciones y Actuaciones de la CMA

Published 25 March 2020

From: [Competition and Markets Authority](#)

Documents



[CMA approach to business cooperation in response to COVID-19](#)

Ref: CMA118
HTML



[CMA approach to business cooperation in response to COVID-19](#)

Ref: CMA118
PDF, 227KB, 12 pages

Published 22 April 2020

From: [Competition and Markets Authority](#)

Documents



[Merger assessments during the Coronavirus \(COVID-19\) pandemic](#)

Ref: CMA120
HTML



[Merger assessments during the Coronavirus \(COVID-19\) pandemic](#)

Ref: CMA120
PDF, 132KB, 6 pages



[Annex A: Summary of CMA's position on mergers involving 'failing firms'](#)

HTML



[Annex A: Summary of CMA's position on mergers involving 'failing firms'](#)

PDF, 187KB, 9 pages

ARAOZ & RUEDA II. Medidas normativas excepcionales: exclusiones de la prohibición de acuerdos restrictivos

The Competition Act 1998 (Groceries) (Coronavirus) (Public Policy Exclusion) Order 2020

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STATUTORY INSTRUMENTS

2020 No. 369

COMPETITION

**The Competition Act 1998 (Groceries) (Coronavirus) (Public Policy Exclusion) Order
2020**

Made

at 1.00 p.m. on 27th March 2020

Laid before Parliament

at 2.30 p.m. on 27th March 2020

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by section 71(3) of and paragraph 7(1), (2) and (3) of Schedule 3 to the Competition Act 1998(1), makes the following Order.

The Secretary of State is satisfied that there are exceptional and compelling reasons of public policy why the prohibition contained in Chapter I of the Competition Act 1998 ought not to apply to, or ought to be deemed never to have applied in relation to, agreements of the descriptions specified in this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order excludes from the Chapter I prohibition in the Competition Act 1998 agreements between groceries chain suppliers and agreements between logistic service providers, intended to address the effects or likely effects of coronavirus on the supply of groceries to consumers in the United Kingdom. The Chapter I prohibition precludes agreements between undertakings, decisions by associations of undertakings or concerted practices which may affect trade within the United Kingdom and which have as their object or effect the prevention, restriction or distortion of competition within the United Kingdom. Where there are exceptional and compelling reasons of public policy for doing so, the Secretary of State may exclude an agreement or an agreement of a particular description from the Chapter I prohibition.

Article 3 of the Order specifies the activities to which an agreement between groceries-chain suppliers must relate in order to qualify for an exclusion, and article 5 sets out other requirements which such an agreement must meet in order to qualify for exclusion.

Article 4 of the Order specifies the activities to which an agreement between logistics service providers must relate in order to qualify for an exclusion, and article 6 sets out other requirements which such an agreement must meet in order to qualify for exclusion.

Article 7 requires the Secretary of State to publish a notice if the Secretary of State considers that there is no longer a significant disruption or a threat of significant disruption to the supply of groceries to consumers in the United Kingdom as a result of coronavirus. The notice must specify the date on which the period during which the exclusions under this Order apply, is to end.

Articles 8 and 9 provide for agreements to be notified to the Secretary of State and for a register of the agreements to be compiled and published by the Secretary of State.

No impact assessment has been prepared for this Order.

II. Medidas normativas excepcionales: exclusiones de la prohibición de acuerdos restrictivos

The Competition Act 1998 (Health Services for Patients in England) (Coronavirus) (Public Policy Exclusion) Order 2020

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STATUTORY INSTRUMENTS

2020 No. 368

COMPETITION

**The Competition Act 1998 (Health Services for Patients in England) (Coronavirus)
(Public Policy Exclusion) Order 2020**

Made

at 1.00 p.m. on 27th March 2020

Laid before Parliament

at 2.30 p.m. on 27th March 2020

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by section 71(3) of and paragraph 7(1), (2) and (3) of Schedule 3 of the Competition Act 1998(1), makes the following Order.

The Secretary of State is satisfied that there are exceptional and compelling reasons of public policy why the prohibition contained in Chapter I of the Competition Act 1998 ought not to apply to, or ought to be deemed never to have applied in relation to, agreements of the description specified in this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order excludes from the Chapter I prohibition in the Competition Act 1998 agreements between the National Health Service Commissioning Board (NHS England) and providers who are not part of the NHS, between other NHS bodies and independent providers or between independent providers, intended to assist the NHS in addressing the effects or likely effects of coronavirus on the provision of health services to patients in England. The Chapter I prohibition precludes agreements between undertakings, decisions by associations of undertakings or concerted practices which may affect trade within the United Kingdom and which have as their object or effect the prevention, restriction or distortion of competition within the United Kingdom. Where there are exceptional and compelling reasons of public policy for doing so, the Secretary of State may exclude an agreement or an agreement of a particular description from the Chapter I prohibition.

Article 3 of the Order specifies the activities to which an agreement must relate in order to qualify for an exclusion and article 4 sets out other requirements which an agreement must meet in order to qualify for exclusion.

Article 5 requires the Secretary of State to publish a notice if the Secretary of State considers that there is no longer a significant disruption or a threat of significant disruption to the provision of health services to patients in England as a result of coronavirus. The notice must specify the date on which the period during which the exclusions under this Order apply, is to end.

Articles 6 and 7 provide for agreements to be notified to the Secretary of State and for a register of the agreements to be compiled and published by the Secretary of State.

No impact assessment has been prepared for this Order.

ARAOZ & RUEDALL. Medidas normativas excepcionales: exclusiones de la prohibición de acuerdos restrictivos

The Competition Act 1998 (Solent Maritime Crossings) (Coronavirus) (Public Policy Exclusion) Order 2020

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STATUTORY INSTRUMENTS

2020 No. 370

COMPETITION

The Competition Act 1998 (Solent Maritime Crossings) (Coronavirus) (Public Policy Exclusion) Order 2020

Made

at 1.00 p.m. on 27th March 2020

Laid before Parliament

at 2.45 p.m. on 27th March 2020

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by section 71(3) of, and paragraph 7(1), (2) and (3) of Schedule 3 to, the Competition Act 1998(1), makes the following Order.

The Secretary of State is satisfied that there are exceptional and compelling reasons of public policy why the prohibition contained in Chapter I of the Competition Act 1998 ought not to apply to, or ought to be deemed never to have applied in relation to, agreements of the descriptions specified in this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order excludes from the Chapter I prohibition in the Competition Act 1998 agreements between those maritime operators providing passenger and freight crossing services across the Solent, intended to assist the operators in addressing the effects or likely effects of coronavirus on the provision of crossing services. The Chapter I prohibition precludes agreements between undertakings, decisions by associations of undertakings or concerted practices which may affect trade within the United Kingdom and which have as their object or effect the prevention, restriction or distortion of competition within the United Kingdom. Where there are exceptional and compelling reasons of public policy for doing so, the Secretary of State may exclude an agreement or an agreement of a particular description from the Chapter I prohibition.

Article 3 of the Order specifies the activities to which an agreement must relate in order to qualify for an exclusion and article 4 sets out other requirements which an agreement must meet in order to qualify for exclusion.

Article 5 requires the Secretary of State to publish a notice if the Secretary of State considers that there is no longer a significant disruption or a threat of significant disruption to the provision of Solent maritime crossings as a result of coronavirus. The notice must specify the date on which the period during which the exclusions under this Order apply, is to end.

Articles 6 and 7 provide for agreements to be notified to the Secretary of State and for a register of the agreements to be compiled and published by the Secretary of State.

No impact assessment has been prepared for this Order.

II. Medidas normativas excepcionales: exclusiones de la prohibición de acuerdos restrictivos

Press release

Dairy industry to join together to manage milk supply

Competition rules temporarily relaxed to allow dairy industry to work together more during coronavirus crisis.

Published 17 April 2020

From: [Department for Environment, Food & Rural Affairs](#), [Department for Business, Energy & Industrial Strategy](#), [The Rt Hon George Eustice MP](#), and [The Rt Hon Alok Sharma MP](#)

II. Medidas normativas excepcionales: exclusiones de la prohibición de acuerdos restrictivos

The government will temporarily relax elements of UK competition law to support the dairy industry through the coronavirus outbreak.

The intention is that the industry will work together to address current market challenges, avoiding waste and maintaining productive capacity to meet future demand.

With the UK's dairy farmers producing over 40 million litres of milk every day, the legislation, which will be laid shortly, will allow the industry to adapt to changes in the supply chain including decreased demand from the hospitality sector and reduced collection by retailers who have had to close.

The government has already relaxed competition rules to allow retailers, suppliers and logistic services to work together. While this has already allowed the dairy industry to redirect some of their supplies to retailers, today's announcement will enable further collaboration between dairy farmers and producers so they can avoid their surplus milk going to waste and harming the environment.

This could include sharing labour and facilities, cooperating to temporarily reduce production or identifying where there is hidden capacity in the supply chain for processing milk into other dairy products such as cheese and butter.

Dairy UK and the Agriculture and Horticulture Development Board (AHDB) will now lead work to bring the industry together to identify spare processing capacity, how to stimulate demand and how production could be temporarily reduced.