CMA
Competition & Markets Authority

Notice of intention to release undertakings given by Performing Right Society Limited pursuant to section 88 of the Fair Trading Act

1. In February 1997 the Secretary of State accepted undertakings from the Performing Right Society Limited[1] (the PRS) following an investigation by the Monopolies and Mergers Commission. A report on the investigation was published in February 1996.[2]

2. The Competition and Markets Authority (CMA) has a statutory duty to keep under review undertakings given under the Fair Trading Act 1973.[3] In July 2015, the CMA launched a consultation seeking views on whether to carry out reviews of 13 sets of market remedies that had been put in place by the CMA's predecessors prior to 2005. On 20 November 2015, the CMA announced its intention to review the undertakings given by PRS.

3. On 23 March 2016, the CMA published its report entitled 'Provisional decision on the CMA's review of the Performing Right Society Limited undertakings'. For the reasons given in that report the CMA has provisionally concluded that PRS should be released from the undertakings.

4. The CMA now gives notice of its intention to release the PRS from the undertakings.

5. Any representation in relation to the proposed release of the undertakings should be made by 22 April 2016 and sent to:

remedies.reviews@cma.gsi.gov.uk

or

Peter Hill
Performing Right Society Undertakings Review
Competition and Markets Authority
Victoria House
37 Southampton Row
London WC1B 4AD

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[1] Now known as PRS for Music.
[2] 'A report on the supply in the UK of the services of administering performing rights and film synchronization rights' CM 3147, February 1996.
[3] Sections 88(4) and (5) of the Fair Trading Act 1973 (as preserved in Schedule 24 to the Enterprise Act 2002).

Simon Polito
Group Chairman
23 March 2016