

CMA publishes EU Exit guidance

Press release

The CMA has today published further guidance to explain how it will conduct its work following the end of the Transition Period for the UK's exit from the EU.



As of 1 January 2021, the Competition and Markets Authority (CMA) will take on responsibility for merger, cartel and competition enforcement cases that were previously reserved to the European Commission; typically, those are the larger and more complex cases. The CMA is ready for this challenge; it has committed the necessary resources to ensure that it has the people, skills and infrastructure in place to deal with these investigations and has, for merger cases, already been engaged in the 'pre-notification' discussions that precede a formal investigation for the past few months.

With markets becoming increasingly globalised, and the growth of digital markets, different competition authorities face many of the same challenges. Often, these issues are likely to be addressed most effectively through international cooperation. The CMA already has experience of working with authorities internationally on cases with a potential impact on UK consumers, and will continue its close engagement and cooperation with other competition and consumer agencies in the EU and globally.

Domestically, consumer protection law will remain largely unchanged; and the CMA will continue its work, and to make recommendations and give advice to government and public authorities on regulatory, policy and legislative matters to promote the benefits of competition and protect consumers.

The CMA also stands ready to take on new functions with professionalism, impartiality and analytical rigour, including the proposed Office for the Internal Market and establishing a new Digital Markets Unit in 2021/22.

The UK's exit from the EU presents both challenges and opportunities for the CMA and for the UK's competition and consumer protection regimes. The CMA remains committed to making the most of the upcoming opportunities to secure good outcomes for UK consumers, ensuring that its work is directly

relevant to people's everyday life, while playing a bigger role internationally to promote competition and protect consumers. We will continue to be guided by what is best for UK consumers and businesses.

[Read the guidance](#).

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First virtual trade mission for UK-Africa legal services

- more than 200 delegates will hear from over 30 leading sector and government figures
- part of drive to promote the UK's outstanding legal services worldwide

Legal services experts from the UK and Africa will be brought together for a landmark virtual trade mission, hosted by the Lord Chancellor Robert Buckland QC.

Part of the Ministry of Justice's Legal Services are GREAT (LSAG) campaign, it will promote the UK's prestigious legal sector to some of the fastest growing economies in the world.

The mission, a first for the department of this scale, will celebrate international collaboration in the sector which generated £66 million worth in exports for the UK in 2018 alone.

The 3 day event will include speeches from a range of industry leaders, showcasing the mutual benefits for the UK and Africa from sharing legal expertise and nurturing lasting relationships.

Lord Chancellor Robert Buckland QC MP said:

I am thrilled to be hosting the first UK-Africa legal services trade mission.

As we collectively rebuild from the global pandemic, it is through vital collaboration such as this that we will help to secure a brighter future.

Legal services are among the UK's greatest exports, so it is important that we showcase this unique expertise while we reassert ourselves as an outward-looking, free-trading nation on the world stage.

In 2018 the UK exported £36,526,000 in legal services to South Africa, £17,110,000 to Nigeria, £8,060,000 to Ghana, and £5,446,000 to Kenya.

The trade mission seeks to build on this success and follows the Africa Investment Summit earlier this year, the Legal Services are GREAT Nigeria trade mission last April, and the Africa Business Connexion Series launched this August.

HM Trade Commissioner for Africa, Emma Wade-Smith OBE, said:

I am delighted to be working with the MoJ on this innovative event, which has been designed to build momentum in the legal services business between Africa and the UK.

We start from a solid base and will use this trade mission to demonstrate the opportunities for UK companies to expand their business activity in and with Africa.

Our world class experience and expertise in legal services can play an essential role in Africa's economic diversification and response to the global pandemic.

The LSAG campaign delivers on the MoJ's International and Legal Services Strategies and is a key lever to build on the Government's priority to support UK economic recovery, boost growth and level up opportunity across the country.

It also provides the opportunity to deliver on the shared Global Britain Agenda by bringing together colleagues from across the UK government, including the Foreign, Commonwealth and Development Office and the Department for International Trade.

Notes to editors

- Legal Services are GREAT (LSAG) is the UK Ministry of Justice's most ambitious international campaign, promoting the strength of English Law; our world-renowned independent judiciary; and UK legal expertise to an overseas market.
- The aim of the campaign is to facilitate growth for UK legal services in the world's fastest growing markets, expand business networks and generate export wins for our law firms and chambers.
- LSAG is part of the GREAT campaign and uses the strength of a globally recognised, credible and respected brand to communicate the UK is a safe and trusted place to conduct business.
- With a presence in 32 countries worldwide, Legal Services are GREAT is an internationally recognised brand and has completed successful trade missions to Nigeria, Kazakhstan, China and Chile.
- The legal sector brings significant economic benefit to the UK, contributing more than £25 billion a year to the British economy – representing 1.5% of the total UK GDP.
- It also provides employment for more than 330,000 people.

Government to fulfil manifesto commitment and scrap Fixed-term Parliaments Act

- Fixed-term Parliaments Act to be repealed, fulfilling manifesto commitment
- Certainty restored to the process for triggering a UK general election
- Tried-and-tested constitutional arrangements reinstated

Tried-and-tested powers for bringing forward UK general elections will be restored by the Government, in order to deliver on a manifesto commitment and prevent stalemates in Parliament from paralysing democracy.

Legislation proposed today will abolish the current law that governs how UK Parliamentary elections are called – the Fixed-term Parliaments Act 2011 – and return the long-standing constitutional norm, whereby the Sovereign may grant a general election, on advice from the Prime Minister.

The overriding constitutional principle should be that the government of the day has the confidence of the House of Commons and is able to obtain a fresh democratic mandate from the British public when this is necessary.

Minister for the Constitution & Devolution, Chloe Smith, said:

The Fixed-term Parliaments Act caused constitutional chaos last year which, when combined with total gridlock in Parliament, meant the previous Government couldn't deliver what it was asked to do.

Ultimately, at critical moments for our country, we trust the public to decide. So we are going back to the system that lets elections happen when they are needed. We want to return to constitutional arrangements that give people more confidence in what to expect, and more security.

The Fixed-term Parliaments Act was introduced by the Coalition Government in 2011. Under the Act, a UK Parliamentary election can currently only be triggered outside of the normal Parliamentary cycle by one of two scenarios: if two-thirds of the House of Commons vote in favour of one, or if the Government loses a vote of no confidence.

The draft Fixed-term Parliaments Act 2011 (Repeal) Bill published today will:

- Repeal the Fixed-term Parliaments Act 2011;
- Revive the prerogative powers relating to the dissolution of Parliament, and the calling of a new Parliament;

- Reaffirm the long-standing position that the prerogative powers are not reviewable by courts, providing legal clarity;
- Ensure Parliament will automatically dissolve five years after it has first met;
- Make consequential amendments to pieces of legislation that make reference to the 2011 Act ensuring their continued operation.

These measures will restore certainty to this important part of the UK constitution, while providing flexibility for exceptional circumstances – one of the fundamental tenets of a functioning and modern democracy.

Minister of State for the Cabinet Office, Lord True, said:

The Fixed-term Parliaments Act was brought forward under unique circumstances and was an exception, not the rule. As we saw last year, it resulted in far more confusion than the tried-and-tested constitutional arrangements it had hastily swept aside.

We are delivering what we pledged in our manifesto and have today presented arrangements that provide legal, constitutional and political certainty around the process for enacting a general election.

Alongside the draft Bill we have published a draft set of principles that will underpin the legal framework for dissolving Parliament and inform what would happen in the event that a Prime Minister lost a vote of confidence. Such constitutional arrangements already applied before the 2011 Act.

To ensure the proposals receive comprehensive Parliamentary scrutiny, the draft Bill and dissolution principles have been presented to a Joint Committee of cross-party MPs and Members of the House of Lords for review.

Health and the environment

This has been an extremely hard year for everyone...

...and people have thought about health and environment more than perhaps they would in another year.

The pandemic led to an increased appreciation of nature and the water environment.

Hilary McGrady, the Director General of the National Trust, said the recovery must respond “to what the lockdown has clearly shown: that people want and need access to nature-rich green spaces near where they live.”

I know most of you will now be thinking about Christmas and how to manage the environment and health of your families.

But, before I speak about all of that, I'd like to start with a public safety message.

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The recently released – and excellent – film collaboration between David Attenborough and WWF “Too Big to Fail”, features footage of Greta Thunberg leading a march through Bristol in February, alongside footage of climate events from around the world.

In February 2020, there was also a significant climate event happening not far from Bristol up the River Severn.

It was the fifth wettest calendar month since 1862.

154.9 millimetres of rainfall fell, 258 percent of the average for the month.

During the flooding, Environment Agency flood schemes protected almost 130,000 properties.

Work to recover started immediately and during the coronavirus lockdown, the Environment Agency developed safe ways of working.

This enabled more than 20,000 inspections, and 90 percent of schemes across the country to continue.

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We are ready this winter.

As well as making sure our rivers are clear from debris and our flood risk assets are maintained, we have been carrying out incident response training.

We have 250 high volume pumps available, and 6,500 trained staff across the country, including 314 trained flood support officers.

But, while the Government doubles the flood and coastal erosion budget to £5.2 billion over the next 6 years...

...We have to be upfront: our work only reduces the risks: no amount of investment will ever prevent flooding altogether.

You are still at risk. So here's what you can do.

- You can check your flood risk by putting your postcode into the Government's website, and you can sign up for flood warnings. These warn of the risk of flooding from rivers, the sea and groundwater. You can choose to be alerted by phone, email or text when flooding is expected.
- And, you can download a “Prepare, Act, Survive” plan so you'll know how to act when there's a flood warning.

I urge you to do these things.

They will give you a better chance to save what can't be insured – and they could save your life.

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This conference is called "Time to Change: Putting the Environment at the Heart of Social and Economic Wellbeing".

So I'd like to give you an example of how the Environment Agency is doing that.

Along the North-West coast, we carried out work to improve water quality, in partnership with organisations including the National Farmers' Union, water companies, and local councils.

As we were doing this, we found that communities on the Fylde coast did not feel connected to local beaches, seeing them as tourist destinations only.

As a result, the 'LOVEmybeach' programme was launched in 2018, engaging local residents and schools, and was prescribed by local doctors.

So many people have been connected to beaches that it has now been used as a model for planned programmes elsewhere in England, and across Europe.

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Investing in a healthy environment makes sense.

It makes medical sense, because it will mean better health for all.

It makes economic sense, because it will save the NHS billions of pounds.

It makes socio-political sense, because those who live in poor environments are also those who have the worst health and the lowest incomes.

And, it also has a multiplier effect on environmental benefits.

Natural England recently highlighted emerging evidence that people who feel more connected to nature are more likely to take action for the environment and for the climate.

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Yesterday, the government published its 'Path to Sustainable Farming' document, laying out plans for farming once we leave the EU's Common Agricultural Policy.

It's good to see more detail around the ambition to incentivise sustainable farming practices, create habitats for nature recovery and establish new woodland to help tackle climate change.

High quality green and blue spaces also offer significant benefits to health.

But, these benefits are unequally distributed across society.

In September, we released a State of the Environment report on health, people and the environment.

It shows that:

In England, people in the most affluent areas enjoy as much 19 years more in good health than those in the most deprived.

City communities with 40 percent or more BAME residents have access to 11 times fewer green spaces locally than mainly white communities.

And, children are spending less time in nature, with 15 percent of children not visiting the natural environment at all in 2018/2019.

Air pollution is the biggest environmental threat to health in the UK.

The health costs of particulate matter and nitrogen dioxide are approximately £22.6 billion every year.

Noise pollution is responsible for more life-years lost than lead, ozone or dioxins.

The main source is road traffic, costing around £9 billion annually through health costs, productivity losses, and chronic severe annoyance.

While flooding has minimal physical health impacts in the UK, it has significant impacts of people's mental health, leading to depression, anxiety and PTSD.

During flooding between November 2019 and February 2020, the Environment Agency protected 130,000 properties, saving an estimated £590 million in mental health costs.

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In the summer, the Prime Minister said we should build back "better, greener, and faster", so this IS a moment to reset.

Studies show that a strong emotional and cognitive relationship with nature is linked to an increased sense of fulfilment.

The RSPB reported that three quarters of people said nature has been an important source of relief during the COVID-19 lockdown.

Recent evidence suggests that living in or near to greener environments reduces mortality rates and improves mental wellbeing.

A study of over 19,000 people in England looked at the effects of spending 2 hours or more a week in or around open green spaces.

This showed a significant increase in the likelihood of people reporting good health or high wellbeing.

Proximity to the coast has been found to increase overall health, and is associated with lower levels of being overweight.

The social benefits of physical activity in England have been valued at an estimated £2.18 billion a year, but this could be higher if more people had access to good places to exercise in.

Personally, I try to get out cycling as much as I can on weekends, and I have started blocking out an hour in my diary at lunchtime to get some time outside in daylight over the winter months.

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Two weeks ago, the Prime Minister published his ten point plan for a green industrial revolution, mobilising £12 billion of investment, and creating and supporting up to 250,000 jobs.

The Environment Agency is helping many aspects of the plan like:

- developing our regulatory role to meet new demand in hydrogen, as it begins to replace natural gas in domestic supply,
- working with the nuclear industry on regulating existing sites and on nuclear new builds,
- and, working to ensure carbon capture and storage can be deployed while protecting people and wildlife.

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To deliver the government's ambitions for the environment, more finance is essential.

With imminent changes to our public health system – and the creation of the National Institute for Health Protection – it is more important than ever to recognise that every sector has a role to play in improving the environment and health.

Point 10 in the plan is innovation and finance.

We are working to help the private sector scale up activities that help the natural world.

In the summer – with Defra, the Esmée Fairbairn Foundation and Triodos Bank UK – we launched four projects that will:

- restore wetlands;
- create natural flood management;
- reduce nitrate pollution;
- restore peatlands in the Pennines;
- and, deliver sustainable financial returns.

Caroline Mason, Chief Executive of Esmée Fairbairn Foundation and a member of the Environment Agency's board, said: "If we understand the models that can make money and can be funded through private capital, we can raise additional

money for nature and make sure that public and philanthropic funding goes where it's most needed."

A great example of this in action is the Ribble Rivers Trust who recently announced investment from Brew Dog to plant trees.

This provides health and wellbeing benefits while offsetting carbon.

In early 2021, the Environment Agency will be launching the government's Investment Readiness Fund and welcoming applications.

The fund will support the development of natural environment projects that can generate revenue from ecosystem services and attract repayable investment.

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Early in this speech, I gave an example of how the Environment Agency's work is putting the environment at the heart of social and economic wellbeing, and I'd like to end with one.

The Salford flood scheme reduces the risk of flooding from the River Irwell to almost 2,000 homes and businesses.

It also provides a boost to local wildlife populations by including an urban wetland habitat.

The flood embankments have been planted with 10 hectares of wildflower habitat, to attract species such as ladybirds, moths, butterflies and bees.

The scheme not only brings flood risk and wildlife benefits, but also leisure and amenity benefits to the local community.

With exactly 2.5 kilometres of new footpath skirting the periphery, runners and cyclists can enjoy the improved scenery...

...and the links to existing footpaths that now provide a green route to and from the centre of Manchester.

Nature based solutions help to achieve the ambitions of the government's 25 Year Environment Plan.

Examples like this one show that if we consider investments through an environmental lens, we can also increase social and economic wellbeing.

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The end of the tunnel is in sight for the coronavirus pandemic, but the climate emergency is ramping up.

As climate shocks overlap, we need to get better at joining up economic, environmental, health and social agendas.

This will not only help society's ability to manage future threats, it will

increase economic opportunities in the long run.

Now should be a time to change, and the Environment Agency will continue to do everything we can in 2021 to ensure it is.

I wish you all a very merry Christmas.

Thank you.

DWP working group to improve stewardship barriers



Minister for Pensions, Guy Opperman, announced the launch of the group today (1 December 2020), in a speech to the Association of Member Nominated Trustees.

Currently, when pension schemes invest in pooled funds, they surrender their rights to vote at the Annual General Meetings of the companies they invest in.

The working group will look at ways to correct this practice, and ultimately improve trustees' stewardship of the companies they are investing in.

The working group will be chaired by Simon Howard, the former Chief Executive of the UK Sustainable Investment and Finance Association.

Sarah Wilson, the CEO of Minerva Analytics, will be the vice-chair. Further membership details will follow in due course.

Minister for Pensions and Financial Inclusion Guy Opperman said:

I'm delighted to announce the establishment of this Working Group, which will be chaired by the very capable and experienced Simon Howard.

I firmly believe the days of trustees leaving everything to asset

managers without scrutiny must come to an end. We need to do more to improve pension schemes' and asset managers' stewardship and engagement with companies to ensure they are fit for purpose in the 21st Century.

I see no reason why trustees shouldn't be able to determine their own high level policies – on areas such as climate risk management, diversity, or pay – and find an asset manager to implement it.

The working group will be tasked with:

1. Helping drive solutions to voting system issues, with specific reference to addressing present obstacles;
2. Increasing the number of asset managers who are prepared to engage with their clients' preferences;
3. Recommending regulatory and non-regulatory measures to ensure the convergence of asset managers' approaches to voting policy, and execution with trustees' policies.

- The working group's full membership and exact terms of reference will be published in due course.
- The Association of Member Nominated Trustees (AMNT) [recent report](#), written by Professor Iain Clacher of Leeds University Business School, sets out the current barriers to trustee voting.

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