
Market Study Notice

Cloud Services

Publication date: 6 October 2022

Closing date for responses: 3 November 2022

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The Office of Communications (referred to in this notice as “Ofcom”) publishes this market study notice in accordance with section 130A of the Enterprise Act 2002 (“EA 2002”) as amended and applied by section 370 of the Communications Act 2003 (“CA 2003”).

1. Ofcom has concurrent powers with the Competition and Markets Authority (“CMA”) in respect of market studies under Part 4 of the EA 2002 (with some exceptions): see section 370 CA 2003. Ofcom has consulted the CMA on the exercise of its powers, as required by section 370(5) CA 2003.
2. Ofcom is proposing to carry out its functions under section 1(3) of the CA 2003 in relation to the provision of Cloud Services in the United Kingdom, to consider the extent to which a matter in relation to commercial activities connected with communications matters¹ has or may have effects adverse to the interests of consumers, and to assess the extent to which steps can and should be taken to remedy, mitigate or prevent any such adverse effects.
3. In this notice ‘Cloud Services’ means all services involved in the provision of cloud computing. ‘Cloud Computing’ means the provision of remote access to computing resources (compute, storage and networking) on demand and over a network.
4. Further details of the market study into Cloud Services, including detailed issues on which Ofcom would welcome responses, are provided in the [Call for Inputs document](#) published alongside this notice.
5. Ofcom now invites any persons wishing to make representations on the matter, including on whether Ofcom should make a market investigation reference under section 131 of the EA 2002, to do so in writing no later than 3 November 2022.
6. If Ofcom proposes to make a market investigation reference or if a representation (as provided for in section 131A of the EA 2002) has been made to Ofcom that such a reference should be made but Ofcom proposes not to make one, Ofcom will publish a notice of that proposal and begin the process of consultation under section 131A(2)(b) of the EA 2002 no later than 5 April 2023.
7. Save where paragraph 6 applies, if Ofcom decides not to make a market investigation reference under section 131 of the EA 2002 Ofcom will publish notice of that decision no later than 5 April 2023.

¹ Within the meaning given by section 369(1) CA 2003.

8. Ofcom will publish its market study report, setting out its findings in relation to the matter specified in this notice and the action (if any) which Ofcom proposes to take in relation to that matter, no later than 5 October 2023.

6 October 2022

The Office of Communications

Notes

- (i) Representations should be made in writing to Warwick Izzard (Project Manager) at cloudservices@Ofcom.org.uk.
- (ii) A copy of this notice is placed on Ofcom's website on the Cloud Services Market Study page on 6 October 2022.