
Notice of a proposal to make a market investigation reference under section 131 of the Enterprise Act 2002

Cloud services

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MARKET STUDY INTO CLOUD SERVICES IN THE UNITED KINGDOM

Notice of proposal to make a market investigation reference under section 131 of the Enterprise Act 2002

The Office of Communications ('Ofcom') publishes this notice in accordance with section 131B(1) of the Enterprise Act 2002 (EA02).

1. On 6 October 2022 Ofcom published a market study notice, in accordance with section 130A of the Enterprise Act 2002 (EA02) as amended and applied by section 370 of the Communications Act 2003 (CA03). The notice explained that Ofcom proposed to carry out its functions under section 1(3) of the CA03 in relation to the provision of Cloud Services in the United Kingdom, to consider the extent to which a matter in relation to the supply of those services 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.
2. Ofcom provided details of the market study, including detailed issues on which Ofcom welcomed responses in writing, in its [Call for Inputs](#) to the market study notice.
3. The [market study notice](#) invited any persons wishing to make representations, including on whether Ofcom should make a market investigation reference under section 131 EA02, to do so in writing no later than 3 November 2022.
4. Having gathered evidence, including through responses to our Call for Inputs, statutory information requests, stakeholder meetings and market research from a broad range of stakeholders and analysed that evidence, Ofcom considers that there are reasonable grounds to suspect that there are features of the public cloud infrastructures services market that may have an adverse effect on competition in the UK.
5. The reasons for this proposal are set out in the [Cloud services market study interim report](#) (including its [annexes](#)) and the [Public cloud infrastructure services, consultation: proposal to make a market investigation reference](#) both dated 5 April 2023.
6. In accordance with section 131B(5) EA02, Ofcom will publish its market study report no later than 5 October 2023, and if applicable, that report will contain the decision to make a reference under section 131 EA02.

5 April 2023

The Office of Communications