

SUPER-COMPLAINT DEFINITION

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BRIEFING

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Super-complaint definition:

The Enterprise Act introduces a specific category of 'super-complaint' which allows designated consumer bodies to complain to the OFT and specific sectoral regulators about market features that may be significantly harming consumers' interests.

'Super-complaints: guidance for designated consumer bodies' sets out the procedures for making a super-complaint and how such complaints will be dealt with. Under the legislation, the OFT must publish its response to a super-complaint within 90 days.

The guidance provides details of the evidence that might be provided in support of a super-complaint, which may include information on the structure of the market, the way competition works, and how consumers' interests are harmed.

Possible outcomes of a super-complaint include:

- > enforcement action by the OFT's competition or consumer regulation divisions
- > launching a market study into the issue
- > making a market investigation reference to the Competition Commission if there is a competition problem
- > referring the complaint to another consumer enforcement body
- > finding the complaint requires no action
- > finding the complaint to be unfounded
- > dismissing the complaint as frivolous or vexatious.

for all consumers