

SCHEDULES

SCHEDULE 6

REGULATORY APPEALS ETC: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO ACTS

Competition Act 1980 (c. 21)

- 1 The Competition Act 1980 is amended as follows.
- 2 (1) Section 11 (reference of public bodies and certain other persons to the Commission) is amended as follows.
 - (2) In subsections (1), (5), (6), (8) and (10), for “Commission” (in each place where it occurs) substitute “CMA” .
 - (3) After subsection (10) insert—

“(10A) The functions of the CMA with respect to a reference under this section (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 11B) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
 - (4) In the heading, for “Commission” substitute “CMA”.
- 3 In section 11A (references under section 11: time-limits), in subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- 4 (1) Section 11C (references under section 11: further supplementary provisions) is amended as follows.
 - (2) In subsection (1), for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted, and
 - (b) for the words “their functions” there were substituted “its functions”.”
 - (3) In subsection (3)—
 - (a) for “Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- 5 In section 12 (orders following report under section 11), in subsections (1) to (3) and (5), for “Commission” (in each place where it occurs) substitute “CMA”.

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- 6 In section 16 (general provisions as to reports), in subsection (2), for “Commission” substitute “CMA”.
- 7 In section 17 (laying before Parliament and publication of reports), in subsection (6), for “Commission” substitute “CMA”.
- 8 In section 33 (short title, interpretation, etc), in subsection (2), for “the Commission” substitute “the CMA”.

Solicitors (Scotland) Act 1980 (c. 46)

- 9 The Solicitors (Scotland) Act 1980 is amended as follows.
- 10 In section 25A (rights of audience in the Court of Session etc), in subsections (9) and (11), for “Director” (in each place where it occurs) substitute “CMA”.
- 11 (1) Section 64A (advisory and supervisory functions) is amended as follows.
- (2) In subsections (1) and (2), for “Director” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (3)—
- (a) for “Director has completed his consideration he” substitute “CMA has completed its consideration, the CMA”, and
- (b) for “he thinks” substitute “it thinks”.
- (4) In subsection (4), for “The Director may publish any advice given by him” substitute “The CMA may publish advice given”.
- (5) In subsection (5)—
- (a) for “Director” substitute “CMA”, and
- (b) for “Director’s” substitute “CMA’s”.
- (6) In subsection (6), for “Director” substitute “CMA”.
- (7) In the heading, for “Director General of Fair Trading” substitute “Competition and Markets Authority”.
- 12 (1) Section 64C (investigatory powers) is amended as follows.
- (2) In subsection (1)—
- (a) for “Director” substitute “CMA”, and
- (b) for “him” (in each place where it occurs) substitute “the CMA”.
- (3) After subsection (2) insert—
- “(2A) A notice under this section may be issued on the CMA’s behalf by any member of the CMA Board.”
- (4) In the heading, for “Director” substitute “Competition and Markets Authority”.
- 13 In section 64CA (enforcement of notices under section 64C), in subsections (1) and (2), for “Office of Fair Trading” (in each place where it occurs) substitute “CMA”.
- 14 (1) In section 65 (interpretation), in subsection (1)—
- (a) before the definition of “the Council” insert—
- ““the CMA” means the Competition and Markets Authority;

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- “the CMA Board” has the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and”
- (b) omit the definition of “the Director”.

Gas Act 1986 (c. 44)

- 15 The Gas Act 1986 is amended as follows.
- 16 (1) Section 23B (appeals) is amended as follows.
- (2) In subsection (1), for “Competition Commission (“the Commission”)” substitute “CMA”.
- (3) In subsections (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission” substitute “CMA”.
- 17 (1) Section 23C (procedure on appeal) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2), omit “Instead.”.
- (4) After subsection (2) insert—
- “(2A) Except where specified otherwise in Schedule 4A, the functions of the CMA with respect to an appeal under section 23B are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- (5) In the heading, for “Commission” substitute “CMA”.
- 18 (1) Section 23D (determination of appeal) is amended as follows.
- (2) In subsections (2) to (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission” substitute “CMA”.
- 19 (1) Section 23E (powers on allowing appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” (in each place where it occurs) substitute “CMA”, and
- (b) for “Commission’s” substitute “CMA’s”.
- (4) In subsection (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In subsection (7), for “Commission’s” substitute “CMA’s”.
- (6) In the heading, for “Commission’s” substitute “CMA’s”.
- 20 (1) Section 23F (time limits for determination of appeal) is amended as follows.
- (2) In subsections (1), (3) to (5) and (7), for “Commission” (in each place where it occurs) substitute “CMA”.

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- (3) In the heading, for “Commission” substitute “CMA”.
- 21 (1) Section 23G (supplementary provision about determination of appeal) is amended as follows.
- (2) In subsection (1), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “CMA”, and
- (b) for “Commission’s” (in each place where it occurs) substitute “CMA’s”.
- (4) In subsection (3), for “Commission” substitute “CMA”.
- (5) In the heading, for “Commission” substitute “CMA”.
- 22 In section 27 (modification by order under other enactments), in subsection (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.
- 23 (1) Section 41D (application by Authority for order including new activities) is amended as follows.
- (2) In subsection (3), for the words from “shall” to the end, substitute “shall, before making the application, make a reference under section 41E to the CMA”.
- (3) In subsections (4) and (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) After subsection (6), insert—
- “(7) The functions of the CMA with respect to a reference under section 41E (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 41EB) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- 24 (1) Section 41E (references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (3) In subsections (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission” substitute “CMA”.
- 25 In section 41EA (references under section 41E: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 26 In section 41EB (references under section 41E: application of the Enterprise Act 2002), in subsection (4)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “the words” to the end, substitute “—
- (a) the words “, OFCOM or the Secretary of State” were omitted; and

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- (b) for the words “their functions” there were substituted “its functions”.
- 27 (1) Section 41F (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (3A)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (5) In subsections (3B) to (4C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (6) In subsection (5), for “Commission” substitute “CMA”.
- 28 In section 48 (interpretation of Part 1), in subsection (1), after the definition of “calorific value” insert—
- ““the CMA” means the Competition and Markets Authority;”.
- 29 (1) Schedule 4A (procedure for appeals under section 23B) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraphs (1) and (7), for “Commission” (in each place where it occurs) substitute “CMA”,
- (b) in sub-paragraph (8)—
- (i) for “Commission’s” substitute “CMA’s”, and
- (ii) for “Commission” substitute “CMA”,
- (c) in sub-paragraph (9)—
- (i) for “deciding” substitute “the authorised member decides”, and
- (ii) for “the Commission must give the Authority” substitute “the Authority must be given”,
- (d) in sub-paragraph (10), for “Commission’s” substitute “CMA’s”,
- (e) in sub-paragraph (12), for “the Commission must” substitute “an authorised member of the CMA must”, and
- (f) in sub-paragraph (13)—
- (i) for “of the Commission” substitute “of the CMA”, and
- (ii) for “as the Commission” substitute “as an authorised member of the CMA”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1), for “Commission” substitute “CMA”,
- (b) in sub-paragraph (2)(b), for “the Commission has given the Authority” substitute “the Authority has been given”,
- (c) in sub-paragraph (3), for “Commission’s” substitute “CMA’s”,
- (d) in sub-paragraph (4), for “Commission” substitute “CMA”,
- (e) in sub-paragraph (5)—
- (i) for “Commission’s” substitute “CMA’s”, and

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- (ii) for “Commission” substitute “CMA”, and
- (f) in sub-paragraph (6)—
 - (i) in paragraph (a), for “Commission” substitute “CMA”, and
 - (ii) in paragraph (b), for “the Commission” substitute “an authorised member of the CMA”.
- (4) In paragraph 3, in sub-paragraphs (1) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 4—
 - (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) after “group” insert “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 23B”, and
 - (ii) for “Commission” substitute “CMA panel”,
 - (c) omit sub-paragraphs (3) to (7), and
 - (d) in sub-paragraph (8), for “a group” substitute “the group”.
- (6) In paragraph 5, in sub-paragraph (1)—
 - (a) for “The group with the function of determining an appeal” substitute “The CMA”, and
 - (b) for “determination of the appeal” substitute “determination of an appeal”.
- (7) In paragraph 6—
 - (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), in paragraph (a), for the words from “Commission’s” to the end of paragraph (a), substitute “CMA’s behalf by an authorised member of the CMA”.
- (8) In paragraph 7—
 - (a) in sub-paragraph (2), for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “there is no requirement”,
 - (c) in sub-paragraph (7), for “the Commission must pay that person” substitute “an authorised member of the CMA must arrange for that person to be paid”, and
 - (d) in sub-paragraph (8), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (9) In paragraph 8—
 - (a) in sub-paragraph (1), for “Commission” substitute “CMA”, and

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- (b) in sub-paragraph (4), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (10) In paragraph 9, for “Commission” substitute “CMA”.
- (11) In paragraph 10, in sub-paragraph (1), for “a member of the Commission” substitute “an authorised member of the CMA”.
- (12) In paragraph 11, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA Board”.
- (13) In paragraph 12, in sub-paragraphs (1) and (2), for “Commission” (in each place where it occurs) substitute “CMA”.
- (14) In paragraph 13, in sub-paragraph (1)—
 - (a) for the definition of “authorised member of the Commission” substitute—
 - “authorised member of the CMA”—
 - (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;
 - (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—
 - (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”,
 - (b) omit the definition of “the Chairman”,
 - (c) for the definition of “the Commission” substitute—
 - “CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and
 - (d) omit the definition of a “group”.

Electricity Act 1989 (c. 29)

- 30 The Electricity Act 1989 is amended as follows.
- 31 (1) Section 11C (appeals) is amended as follows.
- (2) In subsection (1), for “Competition Commission (“the Commission”)” substitute “CMA”.
 - (3) In subsections (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In the heading, for “Competition Commission” substitute “CMA”.
- 32 (1) Section 11D (procedure on appeal) is amended as follows.
- (2) Omit subsection (1).

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- (3) In subsection (2), omit “Instead.”
- (4) After subsection (2) insert—
- “(2A) Except where specified otherwise in Schedule 5A, the functions of the CMA with respect to an appeal under section 11C are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- (5) In the heading, for “Commission” substitute “CMA”.
- 33 (1) Section 11E (determination of appeal) is amended as follows.
- (2) In subsections (2) to (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission” substitute “CMA”.
- 34 (1) Section 11F (powers on allowing appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” (in each place where it occurs) substitute “CMA”, and
- (b) for “Commission’s” substitute “CMA’s”.
- (4) In subsection (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In subsection (7), for “Commission’s” substitute “CMA’s”.
- (6) In the heading, for “Commission’s” substitute “CMA’s”.
- 35 (1) Section 11G (time limits for determination of appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “CMA”.
- (3) In subsections (3) to (5) and (7), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Commission” substitute “CMA”.
- 36 (1) Section 11H (supplementary provision about determination of appeal) is amended as follows.
- (2) In subsection (1), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “CMA”, and
- (b) for “Commission’s” (in each place where it occurs) substitute “CMA’s”.
- (4) In subsection (3), for “Commission” substitute “CMA”.
- (5) In the heading, for “Commission” substitute “CMA”.
- 37 In section 15 (modification by order under other enactments), in subsection (1) for “Office of Fair Trading, the Competition Commission” substitute “CMA”.
- 38 (1) Section 56B (application for order including new activities) is amended as follows.

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- (2) In subsection (3), for the words from “shall” to the end, substitute “shall, before making the application, make a reference under section 56C to the CMA”.
 - (3) In subsections (4) and (5), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) After subsection (6), insert—
 - “(7) The functions of the CMA with respect to a reference under section 56C (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 56CB) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- 39 (1) Section 56C (references) is amended as follows.
- (2) In subsection (1)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
 - (3) In subsections (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In the heading, for “Competition Commission” substitute “CMA”.
- 40 In section 56CA (references under section 56C: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 41 In section 56CB (references under section 56C: application of Enterprise Act 2002), in subsection (4)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.
- 42 (1) Section 56D (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
 - (3) In subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In subsection (3A)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
 - (5) In subsections (3B) to (4C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (6) In subsection (5), for “Commission” substitute “CMA”.

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- 43 In section 64 (interpretation etc of Part 1), in subsection (1), after the definition of “authorised supplier” insert—
- ““the CMA” means the Competition and Markets Authority;”.
- 44 (1) Schedule 5A (procedure for appeals under section 11C) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraphs (1) and (7), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (8)—
 - (i) for “Commission’s” substitute “CMA’s”, and
 - (ii) for “Commission” substitute “CMA”,
 - (c) in sub-paragraph (9)—
 - (i) for “deciding” substitute “the authorised member decides”, and
 - (ii) for “the Commission must give the Authority” substitute “the Authority must be given”,
 - (d) in sub-paragraph (10), for “Commission’s” substitute “CMA’s”,
 - (e) in sub-paragraph (12), for “the Commission must” substitute “an authorised member of the CMA must”, and
 - (f) in sub-paragraph (13)—
 - (i) for “of the Commission” substitute “of the CMA”, and
 - (ii) for “as the Commission” substitute “as an authorised member of the CMA”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1) for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (2)(b), for “the Commission has given the Authority” substitute “the Authority has been given”,
 - (c) in sub-paragraph (3), for “Commission’s” substitute “CMA’s”,
 - (d) in sub-paragraph (4), for “Commission” substitute “CMA”,
 - (e) in sub-paragraph (5)—
 - (i) for “Commission’s” substitute “CMA’s”, and
 - (ii) for “Commission” substitute “CMA”, and
 - (f) in sub-paragraph (6)—
 - (i) in paragraph (a), for “Commission” substitute “CMA”, and
 - (ii) in paragraph (b), for “the Commission” substitute “an authorised member of the CMA”.
- (4) In paragraph 3, in sub-paragraphs (1) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 4—
- (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) after “group” insert “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 11C”, and
 - (ii) for “Commission” substitute “CMA panel”,
 - (c) omit sub-paragraphs (3) to (7), and

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- (d) in sub-paragraph (8), for “a group” substitute “the group”.
- (6) In paragraph 5, in sub-paragraph (1)—
 - (a) for “The group with the function of determining an appeal” substitute “The CMA”, and
 - (b) for “determination of the appeal” substitute “determination of an appeal”.
- (7) In paragraph 6—
 - (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), in paragraph (a), for the words from “Commission’s” to the end of paragraph (a), substitute “CMA’s behalf by an authorised member of the CMA”.
- (8) In paragraph 7—
 - (a) in sub-paragraph (2), for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “there is no requirement”,
 - (c) in sub-paragraph (7), for “the Commission must pay that person” substitute “an authorised member of the CMA must arrange for that person to be paid”, and
 - (d) in sub-paragraph (8), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (9) In paragraph 8—
 - (a) in sub-paragraph (1), for “Commission” substitute “CMA”, and
 - (b) in sub-paragraph (4), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (10) In paragraph 9, for “Commission” substitute “CMA”.
- (11) In paragraph 10, in sub-paragraph (1), for “a member of the Commission” substitute “an authorised member of the CMA”.
- (12) In paragraph 11, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA Board”.
- (13) In paragraph 12, in sub-paragraphs (1) and (2), for “Commission” (in each place where it occurs) substitute “CMA”.
- (14) In paragraph 13, in sub-paragraph (1)—
 - (a) for the definition of “authorised member of the Commission” substitute—
 - ““authorised member of the CMA”—
 - (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory

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Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;

- (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—
 - (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”,
- (b) omit the definition of “the Chairman”,
- (c) for the definition of “the Commission” substitute—

““CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and
- (d) omit the definition of a “group”.

Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40)

- 45 The Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 is amended as follows.
- 46 In section 26 (consideration of applications made under section 25), in subsection (3), for “Director” substitute “CMA”.
- 47 In section 31 (rules of conduct), in subsection (2), for “Director” (in each place where it occurs) substitute “CMA”.
- 48 (1) Section 40 (advisory and supervisory functions of Director) is amended as follows.
 - (2) In subsections (1) and (2), for “Director” (in each place where it occurs) substitute “CMA”.
 - (3) In subsection (3)—
 - (a) for “Director has completed his consideration he” substitute “CMA has completed its consideration it”, and
 - (b) for “as he” substitute “as it”.
 - (4) In subsection (4), for “The Director may publish any advice given by him” substitute “The CMA may publish any advice given”.
 - (5) In subsection (5)—
 - (a) for “Director” substitute “CMA”, and
 - (b) for “Director’s” substitute “CMA’s”.
 - (6) In the heading, for “Director” substitute “CMA”.
- 49 (1) Section 41 (investigatory powers of Director) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “Director” substitute “CMA”, and
 - (b) in paragraphs (a) and (b), for “him” in each place substitute “the CMA”.
 - (3) In the heading, for “Director” substitute “CMA”.

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- 50 In section 41A (enforcement of notices under section 41), in subsections (1) and (2), for “Office of Fair Trading” (in each place where it occurs) substitute “CMA”.
- 51 In section 44 (interpretation of Part 2)—
- (a) after the definition of “advocate” insert—
““the CMA” means the Competition and Markets Authority;”, and
 - (b) omit the definition of “the OFT”.

Water Industry Act 1991 (c. 56)

- 52 The Water Industry Act 1991 is amended as follows.
- 53 (1) Section 12 (determinations under conditions of appointment) is amended as follows.
- (2) In subsection (2)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
 - (3) In subsection (3)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “that Commission” (in each place where it occurs) substitute “the CMA”.
 - (4) In subsection (3A), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (5) In subsections (3B) and (3C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (6) After subsection (3C) insert—
“(3D) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by subsection (3B) read with section 16B).”
- 54 (1) Section 14 (modification references) is amended as follows.
- (2) In subsection (1)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
 - (3) In subsection (2)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
 - (4) In subsection (3), for “Competition Commission” substitute “CMA”.
 - (5) In subsection (5)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
 - (6) In subsection (6), for “Competition Commission” substitute “CMA”.

Status: This is the original version (as it was originally enacted).

- (7) After subsection (6) insert—
- “(6A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 14B and 16B).”
- (8) In the heading, for “Monopolies Commission” substitute “CMA”.
- 55 In section 14A (references under section 14: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 56 (1) Section 15 (reports on modification references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “in connection with the reference” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In subsections (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 57 In section 16 (modification following report), in subsections (1) and (4A), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 58 (1) Section 16A (power of veto following report) is amended as follows.
- (2) In subsection (1), for the words from the beginning to “the Commission”)” substitute “The CMA”.
- (3) In subsections (2) to (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) Omit subsection (10).
- (5) In the heading, for “Commission’s” substitute “CMA’s”.
- 59 (1) Section 16B (power of veto following report: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission’s” substitute “CMA’s”.
- 60 In section 17 (modification by order under other enactments), in subsection (1), for “OFT, the Competition Commission” substitute “CMA”.
- 61 (1) Section 17K (water supply licences: modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for the words from “Competition Commission” to “the Commission”)” substitute “CMA”, and
- (b) for “Commission to” substitute “CMA to”.

Status: This is the original version (as it was originally enacted).

- (3) In subsections (2) to (4), (6), (7) and (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) After subsection (9) insert—
- “(10) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 17M and 17Q).”
- (5) In the heading, for “Competition Commission” substitute “CMA”.
- 62 In section 17L (references under section 17K: time limits), in subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- 63 (1) Section 17N (water supply licences: reports on modification references) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “CMA”, and
- (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In subsections (3) to (7) and (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- 64 In section 17O (water supply licences: modification following report), in subsections (1) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.
- 65 (1) Section 17P (water supply licences: power of veto following report) is amended as follows.
- (2) In subsections (1) to (8) and (10) and (11), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission’s” substitute “CMA’s”.
- 66 (1) Section 17Q (section 17P: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- 67 In section 17R (water supply licences: modification by order under other enactments), in subsection (1), for “OFT, the Commission” substitute “CMA”.
- 68 In section 219 (general interpretation), in subsection (1)—
- (a) after the definition of “the Authority” insert—
- ““the CMA” means the Competition and Markets Authority”, and
- (b) omit the definition of “the OFT”.

Railways Act 1993 (c. 43)

- 69 The Railways Act 1993 is amended as follows.

Status: This is the original version (as it was originally enacted).

- 70 (1) Section 13 (modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (3) In subsection (2)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (4) In subsection (3), for “Competition Commission” substitute “CMA”.
- (5) In subsection (5)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (6) In subsection (6)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
- (7) In subsection (7), for “Competition Commission” substitute “CMA”.
- (8) After subsection (9) insert—
- “(10) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 13B and 15C).”
- (9) In the heading, for “Monopolies Commission” substitute “CMA”.
- 71 In section 13A (references under section 13: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 72 (1) In section 13B (application of Enterprise Act 2002), in subsection (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.
- 73 (1) Section 14 (reports on modification references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In subsections (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

- 74 In section 15 (modification following report), in subsections (1), (4A), (4C) and (4D), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 75 (1) Section 15A (power to veto modifications following report) is amended as follows.
- (2) In subsections (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Competition Commission’s” substitute “CMA’s”.
- 76 (1) Section 15B (making of modifications) is amended as follows.
- (2) In subsections (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Competition Commission” substitute “CMA”.
- 77 (1) Section 15C (sections 15A and 15B: supplementary) is amended as follows.
- (2) In subsections (2) to (2B) and (2D), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (2F), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (2G)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “the words” to the end, substitute “—
- (a) the words “, OFCOM or the Secretary of State” were omitted; and
- (b) for the words “their functions” there were substituted “its functions”.”
- (5) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 78 In section 16 (modification by order under other enactments), in subsection (1), for “OFT, the Competition Commission” substitute “CMA”.
- 79 (1) Section 74 (annual and other reports) is amended as follows.
- (2) In subsection (1)(b), for “Competition Commission’s” substitute “CMA’s”.
- (3) Omit subsection (7).
- 80 In section 83 (interpretation of Part 1), in subsection (1)—
- (a) before the definition of “cross-border service” insert—
- ““the CMA” means the Competition and Markets Authority;”, and
- (b) omit the definition of “the OFT”.
- 81 (1) Schedule 4A (review of access charges by regulators) is amended as follows.
- (2) In the italic cross-heading preceding paragraph 8, for “Competition Commission reference” substitute “reference to CMA”.
- (3) In paragraph 8, in sub-paragraph (2)(b), for “Competition Commission” substitute “CMA”.

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- (4) In the italic cross-heading preceding paragraph 9, for “Competition Commission” substitute “CMA”.
- (5) In paragraph 9—
- (a) in sub-paragraphs (1), (3) to (5), and (6A) to (9), for “Competition Commission” (in each place where it occurs) substitute “CMA”, and
 - (b) after sub-paragraph (9), insert—
 - “(10) The functions of the CMA with respect to a reference under this paragraph are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraphs 10A and 15).”
- (6) In paragraph 10A, in sub-paragraph (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.
- (7) In paragraph 11—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”,
 - (b) in sub-paragraph (4A)—
 - (i) for “Competition Commission” substitute “CMA”, and
 - (ii) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”, and
 - (c) in sub-paragraphs (4B) to (5C) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (8) In paragraph 12, in sub-paragraphs (1), (4B), (5), (8) and (9), for “Competition Commission” substitute “CMA”.
- (9) In the italic cross-heading preceding paragraph 13, for “Competition Commission’s” substitute “CMA’s”.
- (10) In paragraph 13, in sub-paragraphs (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (11) In the italic cross-heading preceding paragraph 14, for “Competition Commission” substitute “CMA”.
- (12) In paragraph 14, in sub-paragraphs (1) to (3) and (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (13) In paragraph 15—
- (a) in sub-paragraphs (2) to (2B) and (2D), for “Competition Commission” (in each place where it occurs) substitute “CMA”,

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- (b) in sub-paragraph (2F), for “Commission” (in each place where it occurs) substitute “CMA”,
- (c) in sub-paragraph (2G)—
 - (i) for “Competition Commission” substitute “CMA”, and
 - (ii) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.”, and
- (d) in sub-paragraphs (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Utilities Act 2000 (c. 27)

82 The Utilities Act 2000 is amended as follows.

83 (1) Section 5 (annual and other reports of Authority) is amended as follows.

(2) In subsection (1)(b), for “Competition Commission” substitute “Competition and Markets Authority”.

(3) Omit subsection (9).

84 Section 104 (specialist members of the Competition Commission) is omitted.

Transport Act 2000 (c. 38)

85 The Transport Act 2000 is amended as follows.

86 (1) Section 12 (references) is amended as follows.

(2) In subsection (1)—

(a) for “Competition Commission” substitute “Competition and Markets Authority (referred to in this Chapter as “the CMA”)", and

(b) for “the Commission” substitute “the CMA”.

(3) In subsections (2), (3) and (5) to (8), for “Commission” (in each place where it occurs) substitute “CMA”.

(4) After subsection (8) insert—

“(8A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 12B and 18).”

(5) In the heading, for “Competition Commission” substitute “Competition and Markets Authority”.

87 In section 12A (references under section 12: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

88 In section 12B (references under section 12: application of Enterprise Act 2002), in subsection (4)—

Status: This is the original version (as it was originally enacted).

- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.”
- 89 (1) Section 13 (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference.”.
- (4) In subsections (1B) to (2C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (5) In subsection (3), for “Commission” substitute “CMA”.
- 90 (1) Section 14 (modification following report) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- 91 (1) Section 15 (power to give direction) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (2), for “Commission” substitute “CMA”.
- (4) In subsection (3)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for “Commission’s” substitute “CMA’s”.
- (5) In subsections (4), (9) and (10), for “Commission” (in each place where it occurs) substitute “CMA”.
- (6) In the heading, for “Commission’s” substitute “CMA’s”.
- 92 (1) Section 16 (position where direction given) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for “Commission’s” substitute “CMA’s”.
- (4) In subsection (3)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for “Commission’s” substitute “CMA’s”.
- (5) In subsections (4) to (6), for “Commission” (in each place where it occurs) substitute “CMA”.

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- (6) In the heading, for “Commission” substitute “CMA”.
- 93 (1) Section 17 (duty as to modifications under section 16) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsections (2) and (4) to (6), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Commission’s” substitute “CMA’s”.
- 94 (1) Section 18 (sections 15 and 16: general) is amended as follows.
- (2) In subsections (2) to (4) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (9)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “the words” to the end, substitute “—
- (a) the words “, OFCOM or the Secretary of State” were omitted; and
- (b) for the words “their functions” there were substituted “its functions”.”
- 95 In section 19 (modification by order under other enactments), in subsection (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.
- 96 (1) Schedule 10 (competition test: functions and agreements relating to buses) is amended as follows.
- (2) In the italic cross-heading preceding paragraph 5, for “OFT” substitute “CMA”.
- (3) In paragraph 5—
- (a) for “Office of Fair Trading” substitute “Competition and Markets Authority”, and
- (b) for “OFT” substitute “CMA”.
- (4) In paragraphs 6, 7, 9, 10 and 12 to 14, for “OFT” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 14A, in sub-paragraphs (2) to (6), for “OFT” (in each place where it occurs) substitute “CMA”.
- (6) In paragraphs 15 and 16, for “OFT” (in each place where it occurs) substitute “CMA”.

Communications Act 2003 (c. 21)

- 97 The Communications Act 2003 is amended as follows.
- 98 (1) Section 193 (reference of price control matters) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (2)—

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- (a) for “Competition Commission” substitute “CMA”,
 - (b) for “the Commission is to determine that matter” substitute “the determination of the matter is to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, and is to be performed”,
 - (c) in paragraph (b), for “them” substitute “the CMA”, and
 - (d) in paragraph (c), for “Commission” substitute “CMA”.
- (4) In subsection (3)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “that Commission” substitute “the CMA”.
- (5) In subsection (4), for “Competition Commission” substitute “CMA”.
- (6) In subsection (6)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “that Commission” substitute “the CMA”.
- (7) In subsections (7) and (8), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (8) In the heading, for “Competition Commission” substitute “CMA”.
- 99 Section 194 (composition of Competition Commission for price control references) is omitted.
- 100 In section 197 (interpretation of Chapter 3), before the definition of “network access” insert—
- ““the CMA” means the Competition and Markets Authority;”.

Energy Act 2004 (c. 20)

- 101 The Energy Act 2004 is amended as follows.
- 102 (1) Section 173 (appeals) is amended as follows.
- (2) In subsection (1)—
- (a) omit “shall lie to the Competition Commission”, and
 - (b) after “applies” insert “shall lie to the Competition and Markets Authority (in this Chapter referred to as “the CMA”)”.
- (3) In subsections (4) and (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission” substitute “CMA”.
- 103 (1) Section 174 (procedure on appeals) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2), omit “Instead.”.
- (4) After subsection (2) insert—
- “(2A) Except where specified otherwise in Schedule 22, the functions of the CMA with respect to appeals under section 173 are to be carried out on behalf of

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the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

- 104 (1) Section 175 (determination of appeals) is amended as follows.
- (2) In subsections (2) to (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (9)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
- (4) In subsection (10), for “Competition Commission” substitute “CMA”.
- 105 Section 176 is omitted.
- 106 Section 177 is omitted.
- 107 (1) Schedule 22 (procedure for appeals under section 173) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraph (1), for “Commission” substitute “CMA”,
- (b) in sub-paragraph (8), for “Commission’s” substitute “CMA’s”,
- (c) in sub-paragraph (9)—
- (i) for “Commission’s” substitute “CMA’s”, and
- (ii) for “Commission” substitute “CMA”, and
- (d) in sub-paragraph (12), for “the Commission must” substitute “an authorised member of the CMA must”.
- (3) In paragraph 2, in sub-paragraphs (1), (2), (5) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In paragraph 3, in sub-paragraphs (1) and (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 4, in sub-paragraph (1), for “Commission” substitute “CMA”.
- (6) In paragraph 5—
- (a) omit sub-paragraph (1),
- (b) in sub-paragraph (2)—
- (i) after “group”, insert “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 173”, and
- (ii) for “Commission” substitute “CMA panel”,
- (c) omit sub-paragraphs (3) to (7), and
- (d) in sub-paragraph (8), for “a group” substitute “the group”.
- (7) In paragraph 6—
- (a) in sub-paragraph (1), for the words from the beginning to “that appeal” substitute “The CMA must determine an appeal”,
- (b) in sub-paragraph (2)—
- (i) for “group with the function of determining an appeal” substitute “CMA”, and
- (ii) after “requirements” insert “in respect of an appeal”, and

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- (c) in sub-paragraph (3), for “Commission” substitute “CMA”.
- (8) In paragraph 7—
- (a) for “The group with the function of determining an appeal” substitute “The CMA”, and
 - (b) for “determination of the appeal” substitute “determination of an appeal”.
- (9) In paragraph 8—
- (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (10) In paragraph 9—
- (a) in sub-paragraph (2), for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “there is no requirement”,
 - (c) in sub-paragraph (7), for “the Commission must pay him” substitute “an authorised member of the CMA must arrange for that person to be paid”, and
 - (d) in sub-paragraph (8), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (11) In paragraph 10—
- (a) in sub-paragraph (1), for “Commission” substitute “CMA”, and
 - (b) in sub-paragraph (4), for the words from “Commission’s” to the end, substitute “CMA’s behalf by an authorised member of the CMA”.
- (12) In paragraph 11, in sub-paragraph (1), for “a member of the Commission” substitute “an authorised member of the CMA”.
- (13) In paragraph 12, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA Board”.
- (14) In paragraph 13, in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “CMA”.
- (15) In paragraph 15, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Commission” substitute—
 - ““authorised member of the CMA”—
 - (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;
 - (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in

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connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—

- (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”,
- (b) omit the definition of “the Chairman”,
 - (c) for the definition of “the Commission” substitute—
““the CMA” means the Competition and Markets Authority;”
“CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and
 - (d) omit the definition of “a group”.

Legal Services Act 2007 (c. 29)

108 The Legal Services Act 2007 is amended as follows.

109 (1) Section 57 (reports) is amended as follows.

(2) In subsection (1), for “OFT” (in each place where it occurs) substitute “CMA”.

(3) In subsection (2), for “OFT’s” substitute “CMA’s”.

(4) In subsections (3) to (6), for “OFT” (in each place where it occurs) substitute “CMA”.

(5) In the heading, for “OFT” substitute “CMA”.

110 (1) Section 58 (Board’s response to report) is amended as follows.

(2) In subsection (1), for “OFT” substitute “CMA”.

(3) In subsections (2) and (3), for “OFT’s” (in each place where it occurs) substitute “CMA’s”.

(4) In subsection (4), for “OFT” substitute “CMA”.

(5) In the heading, for “OFT” substitute “CMA”.

111 (1) Section 59 (referral of report by Lord Chancellor) is amended as follows.

(2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “CMA”.

(3) In subsection (4), for the words from “must” to “its advice” substitute “must make a reference to the chair of the CMA for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, for the purpose of advising the Lord Chancellor”.

(4) After subsection (4), insert—

“(5) Where a reference is made to the chair of the CMA under this section for the constitution of a group, the functions of the CMA under section 60, in relation to the matter concerned, are to be carried out on behalf of the CMA by the group so constituted (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 60(9)).”

(5) In the heading, omit “to the Competition Commission”.

Status: This is the original version (as it was originally enacted).

- 112 (1) Section 60 (duties of the Competition Commission) is amended as follows.
- (2) In subsection (1), for the words from “seeks” to “the Commission” substitute “makes a reference under section 59, the CMA”.
- (3) In subsection (2), for “The Commission must then make its own report” substitute “The CMA must then make a report”.
- (4) In subsection (3), for “Commission” substitute “CMA”.
- (5) In subsection (4)—
- (a) for “Commission” substitute “CMA”, and
- (b) for the words from “it receives” to the end substitute “the reference in question is made to the chair of the CMA under section 59”.
- (6) In subsection (5), for “Commission’s” substitute “CMA’s”.
- (7) In subsection (6)—
- (a) for “Commission’s” substitute “CMA’s, and
- (b) for “Commission” (in each place where it occurs) substitute “CMA”.
- (8) In subsection (7), for “Commission” substitute “CMA”.
- (9) In subsection (8)—
- (a) for “Commission’s” substitute “CMA’s, and
- (b) for “Commission” substitute “CMA”.
- (10) In subsection (9)—
- (a) in the words before paragraph (a), for “to the Commission” substitute “to the CMA”, and
- (b) in paragraph (b), for “Commission” substitute “CMA”.
- (11) In subsection (10)—
- (a) for “Commission” substitute “CMA”, and
- (b) for “OFT’s report” substitute “report made by the CMA under section 57”.
- (12) In the heading, for “Competition Commission” substitute “CMA”.
- 113 (1) Section 61 (Lord Chancellor’s power to give directions) is amended as follows.
- (2) In subsection (1), for “OFT” substitute “CMA”.
- (3) In subsection (2), for “Competition Commission” substitute “CMA”.
- 114 In section 66 (Board’s power to recommend orders), in subsection (3)(b), for “OFT” substitute “CMA”.
- 115 In section 67 (effect of Board’s designation as approved regulator), in subsection (3), for “OFT” substitute “CMA”.
- 116 In section 207 (interpretation), in subsection (1)—
- (a) after the definition of “barrister” insert—
- “the CMA” means the Competition and Markets Authority;”, and
- (b) omit the definition of “the OFT”.
- 117 (1) Schedule 4 (approved regulators) is amended as follows.
- (2) In paragraph 5, in sub-paragraph (2)(a), for “OFT” substitute “CMA”.

Status: This is the original version (as it was originally enacted).

- (3) In the italic cross-heading preceding paragraph 6, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
- (4) In paragraph 6, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 15, in sub-paragraph (5)(a), for “OFT” substitute “CMA”.
- 118 (1) Schedule 6 (alteration of reserved legal activities) is amended as follows.
 - (2) In paragraph 3, in sub-paragraph (1)(b), for “OFT” substitute “CMA”.
 - (3) In paragraph 5, in sub-paragraphs (1) to (4), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (4) In paragraph 8, in sub-paragraph (3), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (5) In paragraph 9, in sub-paragraph (2)(b), for “OFT” substitute “CMA”.
 - (6) In paragraph 11, in sub-paragraph (4)(a), for “OFT” substitute “CMA”.
 - (7) In paragraph 17, in sub-paragraph (4)(a), for “OFT” substitute “CMA”.
- 119 (1) Schedule 7 (directions: procedure) is amended as follows.
 - (2) In paragraph 3, in sub-paragraph (2)(b), for “OFT” substitute “CMA”.
 - (3) In the italic cross-heading preceding paragraph 5, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
 - (4) In paragraph 5, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- 120 (1) Schedule 8 (intervention directions: procedure) is amended as follows.
 - (2) In paragraph 3, in sub-paragraph (2)(b), for “OFT” substitute “CMA”.
 - (3) In the italic cross-heading preceding paragraph 5, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
 - (4) In paragraph 5, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (5) In paragraph 14, in sub-paragraph (3)(b), for “OFT” substitute “CMA”.
 - (6) In the italic cross-heading preceding paragraph 16, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
 - (7) In paragraph 16, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- 121 (1) Schedule 9 (cancellation of designation as approved regulator) is amended as follows.
 - (2) In paragraph 3, in sub-paragraph (2)(a), for “OFT” substitute “CMA”.
 - (3) In the italic cross-heading preceding paragraph 4, for “Office of Fair Trading” substitute “Competition and Markets Authority”.

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- (4) In paragraph 4, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- 122 (1) Schedule 10 (designation of approved regulators as licensing authorities) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (2)(a), for “OFT” substitute “CMA”.
- (3) In the italic cross-heading preceding paragraph 4, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
- (4) In paragraph 4, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 13, in sub-paragraph (5)(a), for “OFT” substitute “CMA”.
- (6) In paragraph 19, in sub-paragraph (2)(a), for “OFT” substitute “CMA”.
- (7) In the italic cross-heading preceding paragraph 20, for “Office of Fair Trading” substitute “Competition and Markets Authority”.
- (8) In paragraph 20, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- 123 In Schedule 24 (index of defined expressions)—
- (a) at the appropriate place insert—
- “CMA | section 207”, and
- (b) omit the reference to the OFT.

Postal Services Act 2011 (c. 5)

- 124 The Postal Services Act 2011 is amended as follows.
- 125 (1) Section 59 (price control decisions) is amended as follows.
- (2) In subsection (3), for “Competition Commission (“the Commission”)” substitute “Competition and Markets Authority (“the CMA”)”.
- (3) In subsections (5) to (12), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) After subsection (12) insert—
- “(12A) The CMA’s functions with respect to an appeal under this section are to be carried out on its behalf by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013”.
- 126 In section 60 (section 59: supplementary), in subsections (1) and (4) to (6), for “Commission” (in each place where it occurs) substitute “CMA”.

Health and Social Care Act 2012 (c. 7)

- 127 The Health and Social Care Act 2012 is amended as follows.
- 128 (1) Section 101 (licence condition modification references) is amended as follows.

- (2) In subsection (2)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (3) In subsection (4)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (4) After subsection (4) insert—
 - “(4A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 10 of Schedule 10).”
- (5) In subsections (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (6) In the heading, for “Competition Commission” substitute “CMA”.
- 129 In section 102 (modification of conditions by order under other enactments), in subsection (1), for “Office of Fair Trading, Competition Commission” substitute “CMA”.
- 130 In section 103 (standard condition as to transparency of certain criteria), in subsection (3)—
 - (a) in paragraph (b), for “Competition Commission” substitute “CMA”, and
 - (b) in paragraph (c), for “Office of Fair Trading, Competition Commission” substitute “CMA”.
- 131 (1) Section 120 (responses to consultation on proposals for national tariff) is amended as follows.
 - (2) In subsections (1) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (3) In subsection (5), omit the words from the beginning to “instead.”.
 - (4) After subsection (5), insert—
 - “(5A) Except where specified otherwise in Schedule 12, the functions of the CMA with respect to a reference under this section (including functions relating to the making of changes following a determination on a reference) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- 132 (1) Section 121 (determination on reference under section 120) is amended as follows.
 - (2) In subsections (1) to (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (3) In subsections (4) to (6) and (8) to (10), for “Commission” (in each place where it occurs) substitute “CMA”.

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- 133 In section 122 (changes following determination on reference under section 120), in subsections (1) and (2), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 134 (1) Section 123 (power to veto changes proposed under section 122) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (3), for “Commission” substitute “CMA”.
- (4) In subsection (4), for “Competition Commission” substitute “CMA”.
- (5) In subsections (5) to (7), for “Commission” (in each place where it occurs) substitute “CMA”.
- 135 (1) Section 142 (responses to consultation on proposal to impose a levy) is amended as follows.
- (2) In subsections (1) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) After subsection (4) insert—
- “(4A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 10 of Schedule 10).”
- (4) In subsections (5) and (7), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 136 (1) Section 149 (electronic communications) is amended as follows.
- (2) In subsection (2)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (3) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 137 In section 150 (interpretation etc. of Part 3), in subsection (1), after the definition of “anti-competitive behaviour” insert—
- ““the CMA” means the Competition and Markets Authority;”.
- 138 (1) Schedule 10 (references by Monitor under section 101 or 142) is amended as follows.
- (2) In the heading, for “Competition Commission” substitute “CMA”.
- (3) In paragraph 1—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”, and
- (b) in sub-paragraph (2), for “the Commission” substitute “the CMA”.
- (4) In paragraph 2, for “Competition Commission” substitute “CMA”.
- (5) In paragraph 4—
- (a) in sub-paragraph (1)—

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- (i) for “Competition Commission” substitute “CMA”, and
 - (ii) for “the Commission” (in each place where it occurs) substitute “the CMA”, and
 - (b) in sub-paragraph (2), for “Commission” substitute “CMA”.
- (6) In paragraph 5—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”,
 - (b) in sub-paragraph (3), for “Commission” substitute “CMA”, and
 - (c) in sub-paragraph (4), for “Competition Commission” substitute “CMA”.
- (7) In paragraph 6—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”,
 - (b) in sub-paragraph (2)—
 - (i) for “Commission” substitute “CMA”, and
 - (ii) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”, and
 - (c) in sub-paragraph (4), for “Commission” substitute “CMA”.
- (8) In paragraph 7, in sub-paragraphs (1) and (8), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (9) In the italic cross-heading preceding paragraph 8, for “Competition Commission’s” substitute “CMA’s”.
- (10) In paragraph 8—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”, and
 - (b) in sub-paragraphs (3) to (5), (7), (8) and (10) to (12), for “Commission” (in each place where it occurs) substitute “CMA”.
- (11) In paragraph 9—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”, and
 - (b) in sub-paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (12) In paragraph 10, in sub-paragraph (2), for “Competition Commission” substitute “CMA”.
- 139 (1) Schedule 12 (procedure on references under section 120) is amended as follows.
- (2) In paragraph 2, in sub-paragraph (1), for “Competition Commission” substitute “CMA”.
 - (3) In the italic cross-heading preceding paragraph 3, for “Commission” substitute “CMA”.
 - (4) In paragraph 3—
 - (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) for “selected under this paragraph” substitute “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to a reference under section 120”, and

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- (ii) for “Commission” substitute “CMA panel”,
 - (c) omit sub-paragraphs (3) to (6), and
 - (d) in sub-paragraph (7), for “a group” substitute “the group”.
- (5) In paragraph 4—
- (a) in sub-paragraph (1), for the words from the beginning to “the determination” substitute “The CMA must make its determination on a reference”,
 - (b) in sub-paragraph (2), for “that group” substitute “the CMA”, and
 - (c) in sub-paragraph (3), for “Competition Commission” substitute “CMA”.
- (6) In paragraph 5, in sub-paragraph (1)—
- (a) for “group with the function of determining a reference” substitute “CMA”, and
 - (b) for “of the appeal” substitute “on a reference”.
- (7) In paragraph 6, in sub-paragraphs (1) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (8) In paragraph 7—
- (a) in sub-paragraph (1), for “a group with the function of making a determination on a reference under section 120” substitute “the CMA”,
 - (b) in sub-paragraph (2), for “A group with that function” substitute “The CMA”,
 - (c) in sub-paragraph (3), for “Competition Commission” substitute “CMA”,
 - (d) in sub-paragraph (4)—
 - (i) for “Competition Commission” substitute “CMA”, and
 - (ii) in paragraph (b), after “evidence” insert “to it” and omit “to a group with that function”,
 - (e) in sub-paragraph (5), for “group conducting the hearing” substitute “CMA”,
 - (f) in sub-paragraph (8)—
 - (i) in paragraph (a), for “Competition Commission” substitute “CMA”, and
 - (ii) in paragraph (b), for “group conducting the hearing” substitute “CMA”, and
 - (g) in sub-paragraph (9), for “Competition Commission” substitute “CMA”.
- (9) In paragraph 8, in sub-paragraph (1)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for “a group with the function of making a determination on a reference under section 120” substitute “the CMA”.
- (10) In paragraph 9, in sub-paragraph (2), for “Commission” substitute “group constituted for the purpose of carrying out functions of the CMA with respect to the reference to which the notice or requirement relates”.
- (11) In paragraph 10, in sub-paragraph (2) for the words from “Competition Commission’s” to the end substitute “CMA’s behalf by a member of the group constituted for the purpose of carrying out functions of the CMA with respect to the reference to which the notice relates”.
- (12) In paragraph 11—

Status: This is the original version (as it was originally enacted).

- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA Board”, and
 - (b) in sub-paragraphs (4) and (5), for “Commission” substitute “CMA Board”.
- (13) In paragraph 12—
- (a) for sub-paragraph (1) substitute—
 - “(1) Where the CMA makes a determination on a reference under section 120 it must make an order requiring the payment to it of the costs it incurred in connection with the reference.”, and
 - (b) in sub-paragraph (5)—
 - (i) for “The group that makes a determination on a reference under section 120” substitute “The CMA”, and
 - (ii) for “the determination” substitute “a determination on a reference under section 120”.

Civil Aviation Act 2012 (c. 19)

- 140 The Civil Aviation Act 2012 is amended as follows.
- 141 (1) Section 24 (appeals: conditions of new licences) is amended as follows.
- (2) In subsections (1), (3) and (5), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
 - (3) In the heading, for “Competition Commission” substitute “Competition and Markets Authority”.
- 142 (1) Section 25 (appeals: modification of licence conditions) is amended as follows.
- (2) In subsections (1), (3), (5) and (7), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
 - (3) In the heading, for “Competition Commission” substitute “Competition and Markets Authority”.
- 143 In section 26 (when appeals may be allowed), for “Competition Commission” substitute “Competition and Markets Authority”.
- 144 (1) Section 27 (determination of appeal) is amended as follows.
- (2) In subsection (1) for “Competition Commission” substitute “Competition and Markets Authority”.
 - (3) In subsection (2)—
 - (a) for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (b) for “the Commission” substitute “the Competition and Markets Authority”.
 - (4) In subsection (4)—
 - (a) for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (b) for “the Commission” substitute “the Competition and Markets Authority”.
 - (5) In subsection (5), for “Competition Commission” substitute “Competition and Markets Authority”.

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- 145 (1) Section 28 (determination of appeal: time limits) is amended as follows.
- (2) In subsections (1), (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
- (3) In subsection (5)—
- (a) for “Competition Commission” substitute “Competition and Markets Authority”, and
- (b) for “the Commission” substitute “the Competition and Markets Authority”.
- (4) In subsections (6) to (8), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
- 146 (1) Section 29 (determination of appeal: publication etc) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “Competition and Markets Authority”, and
- (b) for “the Commission” substitute “the Competition and Markets Authority”.
- (3) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
- (4) In subsection (5)—
- (a) for “Competition Commission” substitute “Competition and Markets Authority” and
- (b) for “Commission’s opinion” (in each place where those words occur) substitute “opinion of the Competition and Markets Authority”.
- 147 (1) Section 30 (procedure on appeals) is amended as follows.
- (2) In subsection (2), for “Competition Commission” substitute “Competition and Markets Authority”.
- (3) For subsection (4) substitute—
- “(4) Except where specified otherwise in Schedule 2, the functions of the Competition and Markets Authority with respect to an appeal under section 24 or 25 are to be carried out on behalf of the Competition and Markets Authority by a group constituted for the purpose, by the chair of the Competition and Markets Authority, under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- 148 (1) Schedule 2 (appeals under sections 24 and 25) is amended as follows.
- (2) In paragraph 2—
- (a) in sub-paragraph (1)—
- (i) for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”, and
- (ii) for “the Commission” substitute “the Competition and Markets Authority”,
- (b) in sub-paragraphs (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,
- (c) in sub-paragraph (7), for “The Competition Commission” substitute “An authorised member of the Competition and Markets Authority”, and

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- (d) in sub-paragraph (8), in paragraph (d), for “Commission” substitute “authorised member”.
- (3) In paragraph 3, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (4) In paragraph 4—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (2), for “on which the Competition Commission publishes its” substitute “of publication of the Competition and Markets Authority’s”, and
 - (c) in sub-paragraph (3), for “Competition Commission” substitute “Competition and Markets Authority”.
- (5) In paragraph 5—
 - (a) in sub-paragraph (1)—
 - (i) for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (b) in sub-paragraph (2), for “Competition Commission” substitute “Competition and Markets Authority”,
 - (c) in sub-paragraph (4), for “The Competition Commission must” substitute “An authorised member of the Competition and Markets Authority must”, and
 - (d) in sub-paragraph (5), in paragraph (d), for “Commission” substitute “authorised member”.
- (6) In paragraph 6, in sub-paragraph (3), for “Competition Commission” substitute “Competition and Markets Authority”.
- (7) In paragraph 7, in sub-paragraph (3), for “Competition Commission” substitute “Competition and Markets Authority”.
- (8) In paragraph 8, in sub-paragraph (3), for “Competition Commission” substitute “Competition and Markets Authority”.
- (9) In paragraph 9, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (10) In paragraph 10, in sub-paragraph (3), for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”.
- (11) In paragraph 11—
 - (a) in sub-paragraph (1)—
 - (i) for “Competition Commission’s functions” substitute “functions of the Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (b) in sub-paragraph (2), for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (c) in sub-paragraph (4)—

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- (i) for “The Competition Commission” substitute “An authorised member of the Competition and Markets Authority”, and
 - (ii) for first “it” substitute “he or she”.
- (12) In paragraph 12, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (13) In paragraph 13, in sub-paragraph (3), for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”.
- (14) In paragraph 14—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission’s functions” substitute “functions of the Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (b) in sub-paragraph (2), for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (c) in sub-paragraph (4)—
 - (i) for “The Competition Commission” substitute “An authorised member of the Competition and Markets Authority”, and
 - (ii) for first “it” substitute “he or she”.
- (15) In paragraph 15—
- (a) in sub-paragraph (1), for “The Competition Commission must” substitute “An authorised member of the Competition and Markets Authority must”,
 - (b) in sub-paragraph (2), for “the Competition Commission must comply with sub-paragraph (1)” substitute “the requirements of sub-paragraph (1) must be complied with”,
 - (c) in sub-paragraph (3), for “The Competition Commission must” substitute “An authorised member of the Competition and Markets Authority must”, and
 - (d) in sub-paragraph (4), in paragraph (d), for “Commission” substitute “authorised member”.
- (16) In paragraph 16—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (b) in sub-paragraph (4), in paragraph (a), for “the Competition Commission” substitute “an authorised member of the Competition and Markets Authority”.
- (17) In paragraph 17—
- (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) for “The group” substitute “A group constituted by the chair of the Competition and Markets Authority, under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, for the purpose of carrying out functions of the Competition and Markets Authority with respect to an appeal under section 24 or 25”, and
 - (ii) for “Competition Commission” substitute “CMA panel”, and

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- (c) omit sub-paragraphs (3) and (4).
- (18) Omit paragraph 18.
- (19) In paragraph 19, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (20) In paragraph 20—
- (a) in sub-paragraph (1)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”,
 - (ii) for “the appeal” substitute “an appeal”, and
 - (iii) for “Competition Commission” substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (3)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”, and
 - (ii) for “the appeal” substitute “an appeal”, and
 - (c) in sub-paragraph (4)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”, and
 - (ii) for “the appeal” substitute “an appeal”.
- (21) In paragraph 21, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (22) In paragraph 22—
- (a) in sub-paragraphs (1) and (2), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (3), for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”,
 - (c) in sub-paragraph (4)—
 - (i) for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (d) in sub-paragraphs (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,
 - (e) in sub-paragraph (7)—
 - (i) for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”, and
 - (ii) for “Commission” (in each place where it occurs) substitute “Competition and Markets Authority”, and
 - (f) in sub-paragraph (9)—
 - (i) for “Competition Commission’s decision” substitute “decision of the Competition and Markets Authority”, and
 - (ii) for “Commission” (in each place where it occurs) substitute “Competition and Markets Authority”.
- (23) In paragraph 23, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.

Status: This is the original version (as it was originally enacted).

- (24) In paragraph 24—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”, and
 - (b) in sub-paragraph (4), for the words from “on the” to the end substitute “on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority”.
- (25) In paragraph 25—
- (a) in sub-paragraph (1), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (3), for “The Competition Commission” substitute “An authorised member of the Competition and Markets Authority”,
 - (c) in sub-paragraph (7), in paragraph (a), for “the Competition Commission is not required” substitute “there is no requirement”,
 - (d) in sub-paragraph (9), for “the Competition Commission must pay the person” substitute “an authorised member of the Competition and Markets Authority must arrange for the person to be paid”, and
 - (e) in sub-paragraph (10), for the words from “on the” to the end substitute “on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority”.
- (26) In paragraph 26—
- (a) in sub-paragraph (1), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”, and
 - (b) in sub-paragraph (5), for the words from “on the” to the end substitute “on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority”.
- (27) In paragraph 27, for “Competition Commission” substitute “Competition and Markets Authority”.
- (28) In paragraph 28, in sub-paragraph (2), for “A member of the Competition Commission” substitute “An authorised member of the Competition and Markets Authority”.
- (29) In paragraph 30—
- (a) in sub-paragraphs (1) to (4), for “the Competition Commission” (in each place where it occurs) substitute “the Competition and Markets Authority”,
 - (b) after sub-paragraph (4), insert—
 - “(4A) For the purposes of sub-paragraphs (1) to (4), the consent of the Competition and Markets Authority is to be given by an authorised member of the Competition and Markets Authority.”,
 - and
 - (c) in sub-paragraph (6), for “Competition Commission” substitute “Competition and Markets Authority”.
- (30) In paragraph 31, in sub-paragraphs (1), (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA Board”.

Status: This is the original version (as it was originally enacted).

- (31) In paragraph 32—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (b) in sub-paragraph (2)—
 - (i) for “Competition Commission” substitute “Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”, and
 - (c) in sub-paragraphs (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “group”.
- (32) In paragraph 34—
- (a) for “Competition Commission” substitute “Competition and Markets Authority or a member of the Competition and Markets Authority”, and
 - (b) “it must publish or send it” substitute “it must be published or sent”.
- (33) In paragraph 35, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Competition Commission” substitute—
 - ““authorised member of the Competition and Markets Authority—
 - (a) in relation to a power exercisable in connection with an appeal or application or direction in respect of which a group has been constituted by the chair of the Competition and Markets Authority under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the Competition and Markets Authority to exercise that power;
 - (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal or application or direction in respect of which a group has not been so constituted by the chair of the Competition and Markets Authority, means—
 - (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question;”
 - (b) omit the definition of “Chairman”,
 - (c) omit the definition of “a group”, and
 - (d) before the definition of “intervener” insert—
 - ““CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”.