



# Competition Act 1980

## 1980 CHAPTER 21

### *Further references and investigations*

#### **[<sup>F1</sup>11D Interim orders**

- (1) Subsection (2) below applies where, in the circumstances specified in subsection (1) of section 12 below, the Secretary of State has under consideration the making of an order under subsection (5) of that section.
- (2) The Secretary of State may by order, for the purpose of preventing pre-emptive action—
  - (a) prohibit or restrict the doing of things which the Secretary of State considers would constitute pre-emptive action;
  - (b) impose on any person concerned obligations as to the carrying on of any activities or the safeguarding of any assets;
  - (c) provide for the carrying on of any activities or the safeguarding of any assets either by the appointment of a person to conduct or supervise the conduct of any activities (on such terms and with such powers as may be specified or described in the order) or in any other manner;
  - (d) do anything which may be done by virtue of paragraph 19 of Schedule 8 to the Enterprise Act 2002 (information powers).
- (3) An order under this section shall come into force at such time as is determined by or under the order.
- (4) An order under this section shall, if it has not previously ceased to be in force, cease to be in force on the making of the order under section 12(5) below or (as the case may be) on the making of the decision not to make such an order.
- (5) The Secretary of State shall publish any decision made by him not to make an order under section 12(5) below in such manner as he considers most suitable for bringing it to the attention of persons who in his opinion would be affected by it or be likely to have an interest in it.

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*Changes to legislation: There are currently no known outstanding effects for the Competition Act 1980, Section 11D. (See end of Document for details)*

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- (6) The Secretary of State shall, as soon as reasonably practicable, consider any representations received by him in relation to varying or revoking an order under this section.
- (7) The following provisions of Part 3 of the Enterprise Act 2002 shall apply in relation to orders under this section as they apply in relation to orders under paragraph 2 of Schedule 7 to that Act—
- (a) section 86(2) and (3) (enforcement orders: general provisions);
  - (b) section 87 (delegated power of directions);<sup>F2</sup>...
  - (c) section 94(1) to (5), (8) and (9) (rights to enforce orders)<sup>F3</sup>; and
  - (d) section 94A (interim orders: penalties).]
- (8) In this section “pre-emptive action” means action which might impede the making of an order under section 12(5) below.]

#### Textual Amendments

- F1** Ss. 11A-11D inserted (20.6.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, [Sch. 25 para. 10\(3\)](#); S.I. 2003/1397, [art. 2\(1\)](#), [Sch.](#) (with [art. 8](#))
- F2** Word in s. 11D(7)(b) omitted (1.4.2014) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), [art. 1\(1\)](#), [Sch. 1 para. 37\(a\)](#) (with [art. 3](#))
- F3** S. 11D(7)(d) and preceding word inserted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), [art. 1\(1\)](#), [Sch. 1 para. 37\(b\)](#) (with [art. 3](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Competition Act 1980, Section 11D.