
Changes to legislation: Competition Act 1998, Part V is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 10

REGULATORS

PART V

MINOR AND CONSEQUENTIAL AMENDMENTS: NORTHERN IRELAND

The Electricity (Northern Ireland) Order 1992

- 17 (1) The ^{M1}Electricity (Northern Ireland) Order 1992 is amended as follows.
- (2) In Article 15 (modification references to Competition Commission), for paragraphs (8) and (9) substitute—
- “(8) The provisions mentioned in paragraph (8A) are to apply in relation to references under this Article as if—
- (a) the functions of the Competition Commission in relation to those references were functions under the 1973 Act;
 - (b) “merger reference” included a reference under this Article;
 - (c) in section 70 of the 1973 Act—
 - (i) references to the Secretary of State were references to the Director, and
 - (ii) the reference to three months were a reference to six months.
- (8A) The provisions are—
- (a) sections 70 (time limit for report on merger) and 85 (attendance of witnesses and production of documents) of the 1973 Act;
 - (b) Part II of Schedule 7 to the Competition Act 1998 (performance of the Competition Commission’s general functions); and
 - (c) section 24 of the 1980 Act (modification of provisions about performance of such functions).
- (9) The Secretary of State may appoint members of the Competition Commission for the purposes of references under this Article.
- (9A) In selecting a group to perform the Commission’s functions in relation to any such reference, the chairman of the Commission must select up to three of the members appointed under paragraph (9) to be members of the group.”
- (3) In Article 16, omit paragraph (2) (which falls with the repeal of the ^{M2}Restrictive Trade Practices Act 1976).
- (4) In Article 18 (modification by order under other statutory provisions)—
- (a) in paragraph (1), omit sub-paragraph (b) and the “or” immediately before it;

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- (b) in paragraph (2)—
- (i) after sub-paragraph (a), insert “ or ”;
 - (ii) omit sub-paragraph (c) and the “or” immediately before it;
- (c) in paragraph (3), omit “or the 1980 Act”.
- (5) [^{F1}In Article 28 (orders for securing compliance), in paragraph (5), after sub-paragraph (b), omit “or” and after sub-paragraph (c), insert
- (d) that the most appropriate way of proceeding is under the Competition Act 1998.”]

^{F2}(6)

(7) [^{F3}In Article 61(3) (general restrictions on disclosure of information)—

 - (a) omit sub-paragraphs (f) and (g) (which refer to the Restrictive Trade Practices Act 1976 and the ^{M3}Resale Prices Act 1976);
 - (b) after sub-paragraph (t), add—
 “(u) the Competition Act 1998”.]

(8) [^{F3}At the end of Article 61, insert—

“(7) Information obtained by the Director in the exercise of functions which are exercisable concurrently with the Director General of Fair Trading under Part I of the Competition Act 1998 is subject to sections 55 and 56 of that Act (disclosure) and not to paragraphs (1) to (6).”]

(9) In Schedule 12, omit paragraph 16 (which amends the ^{M4}Restrictive Trade Practices Act 1976).

Textual Amendments

- F1** Sch. 10 para. 17(5) repealed (N.I.) (1.4.2003) by [The Energy \(Northern Ireland\) Order 2003 \(S.I. 2003/419\)](#), art. 1(2), [Sch. 5](#); [S.R. 2003/203](#), art. 2, [Sch.](#)
- F2** Sch. 10 para. 17(6) repealed (20.6.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, [Sch. 26](#); [S.I. 2003/1397](#), art. 2(1), [Sch.](#) (with art. 8)
- F3** Sch. 10 para. 17(7)(8) repealed (N.I.) (1.4.2003) by [The Energy \(Northern Ireland\) Order 2003 \(S.I. 2003/419\)](#), art. 1(2), [Sch. 5](#); [S.R. 2003/203](#), art. 2, [Sch.](#)

Commencement Information

- II** Sch. 10 para. 17 partly in force; Sch. 10 para. 17 not in force at Royal Assent see s. 76(3); Sch. 10 para. 17(7)(b) in force at 11.1.1999 by [S.I. 1998/3166](#), art. 2, [Sch.](#); Sch. 10 para. 17(1)(2)(6) in force at 1.4.1999 by [S.I. 1999/505](#), art. 2, [Sch. 2](#); Sch. 10 para. 17(3)-(5)(7)(a)(8) and (9) in force at 1.3.2000 by [S.I. 2000/344](#), art. 2, [Sch.](#)

Marginal Citations

- M1** [S.I. 1992/231 \(N.I. 1\)](#).
- M2** 1976 c. 34.
- M3** 1976 c. 53.
- M4** 1976 c. 34.

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The Gas (Northern Ireland) Order 1996

- 18 (1) The ^{M5}Gas (Northern Ireland) Order 1996 is amended as follows.
- ^{F4}(2)
- (3) In Article 16, omit paragraph (2) (which falls with the repeal of the Restrictive Trade Practices Act 1976).
- (4) In Article 18 (modification by order under other statutory provisions)—
- (a) in paragraph (1), omit sub-paragraph (b) and the “or” immediately before it;
 - (b) in paragraph (3)—
 - (i) after sub-paragraph (a), insert “ or ”;
 - (ii) omit sub-paragraph (c) and the “or” immediately before it;
 - (c) in paragraph (5), omit “or the 1980 Act”.
- (5) [^{F5}In Article 19 (orders for securing compliance), in paragraph (5), after sub-paragraph (b), omit “or” and after sub-paragraph (c), insert
- (d) that the most appropriate way of proceeding is under the Competition Act 1998.”]

(6) [^{F5}In Article 44(4) (general restrictions on disclosure of information)—

 - (a) omit sub-paragraphs (f) and (g) (which refer to the Restrictive Trade Practices Act 1976 and the ^{M6}Resale Prices Act 1976);
 - (b) after sub-paragraph (u), add—
 - “(v) the Competition Act 1998”.]

(7) [^{F6}At the end of Article 44, insert—

 - “(8) Information obtained by the Director in the exercise of functions which are exercisable concurrently with the Director General of Fair Trading under Part I of the Competition Act 1998 is subject to sections 55 and 56 of that Act (disclosure) and not to paragraphs (1) to (7).”]

Textual Amendments

- F4** Sch. 10 para. 18(2) repealed (20.6.2003) by [The Enterprise Act 2002 \(Consequential and Supplemental Provisions\) Order 2003 \(S.I. 2003/1398\)](#), art. 1, **Sch. para. 32(2)**
- F5** Sch. 10 para. 18(5)(6) repealed (N.I.) (1.4.2003) by [The Energy \(Northern Ireland\) Order 2003 \(S.I. 2003/419\)](#), art. 1(2), **Sch. 5**; S.R. 2003/203, art. 2, **Sch.**
- F6** Sch. 10 para. 18(7) repealed (N.I.) (1.4.2003) by [The Energy \(Northern Ireland\) Order 2003 \(S.I. 2003/419\)](#), art. 1(2), **Sch. 5**; S.R. 2003/203, art. 2, **Sch.**

Commencement Information

- I2** Sch. 10 para. 18 partly in force; Sch. 10 para. 18 not in force at Royal Assent see s. 76(3); Sch. 10 para. 18(6)(b) in force at 11.1.1999 by [S.I. 1998/3166](#), art. 2, **Sch.**; Sch. 10 para. 18(1)(2) in force at 1.4.1999 by [S.I. 1999/505](#), art. 2, **Sch. 2**; Sch. 10 para. 18(3)-(5)(6)(a) and (7) in force at 1.3.2000 by [S.I. 2000/344](#), art. 2, **Sch.**

Marginal Citations

- M5** [S.I. 1996/275 \(N.I. 2\)](#).
- M6** 1976 c. 53.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 5](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31G-31L and cross-heading inserted by S.I. 2019/93, reg. 8A (as inserted) by [S.I. 2019/1245 reg. 3](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 46(3)(ha)(hb) inserted by S.I. 2019/93, reg. 14(d) (as inserted) by [S.I. 2019/1245 reg. 5](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 47(1)(ca) inserted by S.I. 2019/93, reg. 15(b) (as substituted) by [S.I. 2019/1245 reg. 6](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 60A(10) inserted by [2023 c. 28 s. 6\(10\)](#)
- Sch. 6A para. 1A inserted by S.I. 2019/93, reg. 29A(2) (as inserted) by [S.I. 2019/1245 reg. 7](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Sch. 6A Pt. 3 inserted by S.I. 2019/93, reg. 29A(4) (as inserted) by [S.I. 2019/1245 reg. 7](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)