



Postal Services Act 2000

2000 CHAPTER 26

PART II

LICENCES FOR POSTAL SERVICES

Modification of licences

15 References to the Competition Commission

- (1) The Commission may make to the Competition Commission a reference requiring the Competition Commission to investigate and report on—
 - (a) whether any matters, which are specified in the reference and which relate to the provision of postal services whose provision is authorised or required by a licence, operate against the public interest or may be expected to do so,
 - (b) if so, whether the effects adverse to the public interest which the matters have or may be expected to have could be remedied or prevented by modifying the conditions of the licence.
- (2) The Commission may at any time by notice given to the Competition Commission vary a reference by adding to the matters specified in it or by excluding from it one or more of those matters; and on receiving a notice the Competition Commission shall give effect to the variation.
- (3) The Commission may, for the purpose of assisting the Competition Commission in its investigation on the reference or the reference as varied, specify in the reference or a variation of it—
 - (a) any effects adverse to the public interest which it considers that the matters specified in the reference or variation have or may be expected to have,
 - (b) any modifications of the conditions of the licence by which it considers that those effects could be remedied or prevented.
- (4) As soon as practicable after making a reference or variation the Commission shall give notice of it by—

Status: This is the original version (as it was originally enacted).

- (a) serving a copy of the reference or variation on the licence holder and the Secretary of State, and
 - (b) publishing particulars of the reference or variation in such manner as the Commission considers appropriate for the purpose of bringing it to the attention of persons likely to be affected by it.
- (5) The Secretary of State may, before the end of the period of 28 days starting with the day on which he receives the copy, direct the Competition Commission not to proceed with the reference or not to give effect to the variation.
- (6) The Commission shall, for the purpose of assisting the Competition Commission in carrying out an investigation on a reference under this section, give to the Competition Commission—
- (a) any information the Commission has which relates to matters within the scope of the investigation and which the Competition Commission requests,
 - (b) any information the Commission has which relates to matters within the scope of the investigation and which the Commission considers that it would be appropriate for it to give without a request,
 - (c) any other assistance which the Commission is able to give in relation to matters within the scope of the investigation and which the Competition Commission requests.
- (7) In carrying out the investigation concerned the Competition Commission shall have regard to any information given under subsection (6).
- (8) In deciding under this section whether a matter operates, or may be expected to operate, against the public interest the Competition Commission shall have regard to the matters as respects which duties are imposed on the Commission by sections 3 and 5.