



Enterprise Act 2002

2002 CHAPTER 40

PART 8

ENFORCEMENT OF CERTAIN CONSUMER LEGISLATION

[^{F1}Enforcement orders and interim enforcement orders]

216 Applications: directions by [^{F1}CMA]

- (1) This section applies if the [^{F2}CMA] believes that an enforcer other than the [^{F2}CMA] intends to apply for an enforcement order.
- (2) In such a case the [^{F2}CMA] may direct that if an application in respect of a particular infringement is to be made it must be made—
 - (a) only by the [^{F2}CMA], or
 - (b) only by such other enforcer as the [^{F2}CMA] directs.
- (3) If the [^{F2}CMA] directs that only it may make an application that does not prevent—
 - (a) the [^{F2}CMA] or any enforcer from accepting an undertaking under section 219, or
 - (b) the [^{F2}CMA] from taking such other steps it thinks appropriate (apart from making an application) for the purpose of securing that the infringement is not committed, continued or repeated.
- (4) The [^{F2}CMA] may vary or withdraw a direction given under this section.
- (5) The [^{F2}CMA] must take such steps as it thinks appropriate to bring a direction (or a variation or withdrawal of a direction) to the attention of enforcers it thinks may be affected by it.

^{F3}(6)

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Section 216. (See end of Document for details)

Textual Amendments

- F1** Word in s. 216 heading substituted (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. 9](#) (with art. 3)
- F2** Word in s. 216(1)-(5) substituted (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. 9](#) (with art. 3)
- F3** S. 216(6) omitted (31.12.2020) by virtue of [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/203\)](#), regs. 1, [3\(7\)](#) (with reg. 9) (as amended by S.I. 2020/1347, regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002, Section 216.