

SCHEDULES

SCHEDULE 12

PROCEDURE ON REFERENCES UNDER SECTION 120

Functions of Commission in relation to reference

- 3 (1) The following functions of the Competition Commission must be performed, in accordance with rules under paragraph 11, by a group selected for the purpose by the Chairman of the Commission—
- (a) considering a reference under section 120;
 - (b) making a determination on the reference;
 - (c) giving directions and taking other steps to give effect to the Commission's determination on the reference.
- (2) A group selected under this paragraph must consist of three members of the Commission.
- (3) The Chairman of the Commission must appoint one of the members as chair of the group.
- (4) The Chairman of the Commission may select a member of the Commission to replace a person as a member of group if—
- (a) the person being replaced has ceased to be a member of the Commission,
 - (b) the Chairman is satisfied that the person being replaced will be unable, for a substantial period, to perform duties as a member of the group, or
 - (c) it appears to the Chairman that it is inappropriate, because of a particular interest of the person being replaced, for that person to remain a member of the group.
- (5) The replacement of a member of a group does not prevent the group from continuing after the replacement with anything begun before it.
- (6) The Chairman of the Commission may be appointed as, or may be selected to replace a person as, a member of a group (including as chair of the group).
- (7) A decision of a group is effective only if—
- (a) all the members of the group are present when it is made, and
 - (b) at least two members of the group are in favour of it.