



Enterprise and Regulatory Reform Act 2013

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ENTERPRISE AND REGULATORY REFORM ACT 2013

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SCHEDULE 1 — Conciliation: minor and consequential amendments

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 1 In section 288 of the Trade Union and Labour Relations...

Employment Tribunals Act 1996 (c. 17)

- 2 The Employment Tribunals Act 1996 is amended as follows.
- 3 In section 7 (employment tribunal procedure regulations), in subsection (3ZA)(b),...
- 4 In section 7B (mediation), in subsection (5), for “the Advisory,...
- 5 (1) Section 18 (conciliation) is amended as follows.
- 6 After section 18B (inserted by section 7(1)) insert— Conciliation after...
- 7 In section 19A (conciliation: recovery of sums payable under compromises),...
- 8 In section 40 (power to amend Act), in subsection (2),...
- 9 In section 42 (interpretation), in subsection (1)—

Employment Rights Act 1996 (c. 18)

- 10 In section 203 of the Employment Rights Act 1996 (restrictions...

National Minimum Wage Act 1998 (c. 39)

- 11 In section 49 of the National Minimum Wage Act 1998...

Employment Act 2008 (c. 24)

- 12 Section 5 of the Employment Act 2008 (which amends provisions...

Pensions Act 2008 (c. 30)

- 13 In section 58 of the Pensions Act 2008 (restrictions on...

SCHEDULE 2 — Extension of limitation periods to allow for conciliation

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 1 The Trade Union and Labour Relations (Consolidation) Act 1992 is...
- 2 In section 66 (complaint of infringement of right under section...
- 3 In section 68A (complaint of infringement of right under section...
- 4 In section 70C (section 70B: complaint to employment tribunal), after...
- 5 In section 87 (complaint in respect of employer's failure under...
- 6 In section 139 (time limit for proceedings under sections 137...

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- 7 (1) Section 145C (time limit for proceedings under sections 145A...
- 8 In section 147 (time limit for proceedings under section 146),...
- 9 (1) Section 171 (time limit for proceedings under sections 168,...
- 10 (1) Section 175 (time limit for proceedings under section 174)...
- 11 In section 189 (complaint: contravention of section 188), after subsection...
- 12 In section 192 (complaint by employee to employment tribunal: contravention...
- 13 After section 292 insert— Extension of time limits to facilitate...
- 14 In Schedule A1 (collective bargaining: recognition), in paragraph 157 (complaint...

Employment Rights Act 1996 (c. 18)

- 15 The Employment Rights Act 1996 is amended as follows.
- 16 In section 11 (references to employment tribunals: contravention of section...
- 17 In section 23 (complaints to employment tribunals: contravention of section...
- 18 In section 34 (complaints to employment tribunals: contravention of section...
- 19 In section 48 (complaints to employment tribunals: contravention of Part...
- 20 In section 51 (complaints to employment tribunals: contravention of section...
- 21 In section 54 (complaints to employment tribunals: contravention of section...
- 22 In section 57 (complaints to employment tribunals: contravention of section...
- 23 In section 57ZC (complaint to employment tribunal: agency workers), after...
- 24 In section 57B (complaint to employment tribunal: contravention of section...
- 25 In section 60 (complaints to employment tribunals: contravention of section...
- 26 In section 63 (complaints to employment tribunals: contravention of section...
- 27 In section 63C (complaints to employment tribunals: contravention of section...
- 28 In section 63I (complaints to employment tribunals: contravention of section...
- 29 In section 70 (complaints to employment tribunals: contravention of section...
- 30 In section 70A (complaints to employment tribunals: agency workers), after...
- 31 In section 80 (complaint to employment tribunal: parental leave), in...
- 32 In section 80H (complaints to employment tribunals: contravention of section...
- 33 In section 111 (complaints to employment tribunal: contravention of section...
- 34 In section 164 (claims for redundancy payment: contravention of section...
- 35 After section 207A (extension of time limits because of mediation...

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National Minimum Wage Act 1998 (c. 39)

- 36 The National Minimum Wage Act 1998 is amended as follows....
- 37 In section 11 (failure of employer to allow access to...
- 38 After section 11 insert— Extension of time limit to facilitate...
- 39 In section 24 (enforcement of right under section 23), in...

Employment Relations Act 1999 (c. 26)

- 40 In section 11 of the Employment Relations Act 1999 (complaint...

Pensions Act 2008 (c. 30)

- 41 In section 56 of the Pensions Act 2008 (enforcement of...

Equality Act 2010 (c. 15)

- 42 The Equality Act 2010 is amended as follows.
- 43 In section 123 (time limits: proceedings under section 120), in...
- 44 In section 129 (time limits: proceedings under section 127)—
- 45 After section 140A (extension of time limits because of mediation...

SCHEDULE 3 — Financial penalties: minor and consequential amendments

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 1 In section 138 of the Trade Union and Labour Relations...

Employment Tribunals Act 1996 (c. 17)

- 2 The Employment Tribunals Act 1996 is amended as follows.
- 3 Before section 13 insert— “ Costs etc, interest and enforcement...
- 4 (1) In section 41 (orders, regulations and rules), in subsection...

Employment Rights Act 1996 (c. 18)

- 5 In section 201 of the Employment Rights Act 1996 (power...

Agency Workers Regulations 2010 (S.I. 2010/93)

- 6 In regulation 18 of the Agency Workers Regulations 2010 (complaints...

SCHEDULE 4 — The Competition and Markets Authority

PART 1 — GENERAL

Membership

- 1 (1) The CMA is to consist of—

Terms and conditions

- 2 (1) The members of the CMA are to hold and...

Term of appointment

- 3 (1) Appointment to membership of the CMA Board under paragraph...

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Re-appointment

- 4 (1) A person who has been appointed to membership of...

Remuneration etc of members

- 5 (1) The CMA must pay to its members such remuneration,...

Resignation

- 6 (1) The chair may at any time resign from membership...

Termination of membership

- 7 The Secretary of State may at any time remove a...

Status

- 8 The CMA is to perform its functions on behalf of...

Chief executive and other staff

- 9 (1) The CMA is to have a chief executive appointed...
10 (1) The CMA may appoint other members of staff.
11 A person holding office as a member of the Competition...

Annual plan

- 12 (1) The CMA must prepare an annual plan for each...
13 (1) Before finalising an annual plan, the CMA must draw...

Performance report

- 14 (1) As soon as practicable after the end of each...
15 The CMA may— (a) prepare other reports about matters relating...

Concurrency report

- 16 (1) As soon as practicable after the end of each...

Documents

- 17 (1) The application of the CMA's seal must be authenticated...

Membership of committees and sub-committees

- 18 (1) The members of a committee or sub-committee of the...

Additional powers

- 19 The CMA may— (a) if so requested by the Secretary...
20 (1) The CMA may do anything that is calculated to...

Public records

- 21 In Schedule 1 to the Public Records Act 1958 (definition...

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Parliamentary Commissioner

- 22 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...)

Disqualification

- 23 In Part 2 of Schedule 1 to the House of...
24 In Part 2 of Schedule 1 to the Northern Ireland...

Freedom of information

- 25 In Part 1 of Schedule 1 to the Freedom of...

Equality

- 26 In Part 1 of Schedule 19 to the Equality Act...
PART 2 — THE CMA BOARD

Membership

- 27 The CMA Board is to consist of—

Functions

- 28 Except where otherwise provided by or under any enactment, the...

Delegation

- 29 (1) Anything that the CMA Board is required or permitted...
30 Paragraph 29(1) is subject to provision in rules made under...

Proceedings

- 31 (1) The CMA Board may regulate its own proceedings.

Validity

- 32 The validity of anything done by the CMA Board is...

Reference of matter to the chair

- 33 (1) This paragraph applies where the CMA Board is to...
PART 3 — THE CMA PANEL

The CMA panel

- 34 The CMA panel is a panel of persons available for...

Membership of CMA panel

- 35 (1) The CMA panel is to consist of—

Constitution of CMA groups

- 36 Where the chair is, by or under any enactment, required...

Membership of CMA groups

- 37 (1) The members of a CMA group are to be...

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- 38 (1) Each CMA group is to consist of at least...
39 The validity of anything done by a CMA group is...

Termination of person's membership of a CMA group

- 40 A member of the CMA panel may at any time...
41 (1) Sub-paragraph (2) applies if the chair considers that—
42 A person ceases to be a member of a CMA...

Replacement of a member of a CMA group

- 43 (1) Sub-paragraph (2) applies if a person ceases to be...

Continuity on removal or replacement

- 44 (1) A person's ceasing to be a member of a...

Attendance of other members

- 45 (1) At the invitation of the group chair of a...

Powers of chair pending group's constitution and first meeting

- 46 (1) While a CMA group is being constituted, the chair...
47 (1) The chair may, on behalf of the CMA, exercise...

Performance of functions of chair with respect to constitution etc of CMA group

- 48 (1) A function of the chair that is specified in...

Independence of groups

- 49 (1) In making decisions that they are required or permitted...

Casting votes

- 50 If a CMA group's vote on any decision is tied,...

Requirement to make rules of procedure for certain groups

- 51 (1) The CMA Board must make rules of procedure for...
52 (1) In determining how to proceed in accordance with rules...
53 (1) Rules made under paragraph 51 may—

Procedure of other CMA groups

- 54 (1) Subject to any special or general directions given by...

CMA group decision: requirement for two thirds majority

- 55 For the purposes of paragraphs 56 to 58, a “qualifying...
56 (1) This paragraph applies for the purposes of Part 3...
57 (1) This paragraph applies for the purposes of Part 4...
58 A decision made by a CMA group is also subject...

PART 3A — THE OIM PANEL

The OIM panel

- 58A (1) The OIM panel is a panel of persons available...

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Constitution of OIM task groups

58B (1) The OIM panel chair may at any time constitute...

Membership of OIM task groups

58C (1) The members of an OIM task group are to...

58D The validity of anything done by an OIM task group...

Termination of person's membership of an OIM task group

58E A member of the OIM panel may at any time...

58F (1) Sub-paragraph (2) applies if the OIM panel chair considers...

58G A person ceases to be a member of an OIM...

Replacement of a member of an OIM task group

58H (1) Sub-paragraph (2) applies if a person ceases to be...

Continuity on removal or replacement

58I (1) A person's ceasing to be a member of an...

Powers of chair pending group's constitution and first meeting

58J (1) While an OIM task group is being constituted, the...

Independence of OIM task groups

58K (1) In exercising functions which they are authorised to exercise...

Casting votes

58L If an OIM task group's vote on any decision is...

Procedure of OIM task groups

58M (1) An OIM task group may determine its own procedure...

PART 4 — INTERPRETATION AND TRANSITIONAL AND TRANSITORY
PROVISION

Interpretation

59 (1) In this Schedule, “enactment” means— (a) an enactment contained...

60 References in this Schedule to the commencement date are to...

Members of the Competition Commission

61 (1) This paragraph applies— (a) in relation to any appointments...

62 Except as provided for by paragraph 61, a person who...

63 References in paragraphs 61 and 62 to a panel member...

Financial years of the CMA

64 (1) If the duration of the period beginning with the...

First annual plan of the CMA

65 (1) The CMA is to publish its first annual plan...

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SCHEDULE 5 — Amendments related to Part 3

PART 1 — TRANSFER OF FUNCTIONS UNDER THE 1998 ACT TO THE CMA

- 1 The Competition Act 1998 is amended as follows.
- 2 In section 6 (block exemptions), in subsections (1) and (6),...
- 3 In section 8 (block exemptions: procedure), in subsections (1) to...
- 4 In section 10 (parallel exemptions), in subsections (5), (7) and...
- 5 (1) Section 25 (power to investigate) is amended as follows....
- 6 In section 26 (powers when conducting investigations), in subsections (1)...
- 7 In section 27 (power to enter business premises without a...
- 8 (1) Section 28 (power to enter business premises under a...
- 9 In section 28A (power to enter domestic premises under a...
- 10 In section 31 (decisions following an investigation), in subsections (1)...
- 11 In section 31A (commitments), in subsections (1) to (4), for...
- 12 In section 31B (effect of commitments under section 31A), in...
- 13 In section 31C (review of commitments), in subsections (1) and...
- 14 In section 31D (guidance), in subsections (1) to (3), (5),...
- 15 In section 31E (enforcement of commitments), in subsection (1), for...
- 16 In section 32 (directions in relation to agreements), in subsection...
- 17 In section 33 (directions in relation to conduct), in subsection...
- 18 In section 34 (enforcement of directions), in subsection (1), for...
- 19 In section 35 (interim measures), in subsections (1) to (4),...
- 20 In section 36 (penalties), in subsections (1) to (5), (8)...
- 21 In section 37 (recovery of penalties), in subsection (1), for...
- 22 In section 38 (the appropriate level of a penalty), in...
- 23 In section 39 (limited immunity in relation to the Chapter...
- 24 In section 40 (limited immunity in relation to the Chapter...
- 25 In section 44 (false or misleading information), in subsections (1)...
- 26 In section 46 (appealable decisions), in subsections (1) to (3),...
- 27 In section 47 (third party appeals), in subsection (1), for...
- 28 In section 47A (monetary claims before Tribunal), in subsections (6)...
- 29 In section 50 (vertical agreements and land agreements), in subsection...
- 30 In the cross-heading preceding section 51, for “OFT’s” substitute “CMA’s”....
- 31 (1) Section 51 (rules) is amended as follows.
- 32 (1) Section 52 (advice and information) is amended as follows....
- 33 In section 54 (regulators), in subsections (2), (5) and (7),...
- 34 In section 57 (defamation), for “OFT” substitute “CMA”....
- 35 In the cross-heading preceding section 58, for “OFT” substitute “...
- 36 (1) Section 58 (findings of fact) is amended as follows....
- 37 In section 58A (findings of infringements), in subsections (3) and...
- 38 (1) Section 59 (interpretation of Part 1) is amended as...
- 39 In section 60 (principles to be applied in determining questions),...
- 40 In section 61 (interpretation of Part 2), in subsection (1)—...
- 41 In section 62 (power to enter business premises under a...
- 42 In section 62A (power to enter non-business premises under a...
- 43 In section 62B (powers when conducting Article 22(2) inspection), in...
- 44 In section 63 (power to enter business premises under a...
- 45 (1) Section 65C (interpretation of Part 2A) is amended as...
- 46 In section 65D (power to conduct an Article 22(1) investigation),...
- 47 In section 65E (powers when conducting Article 22(1) investigations), in...
- 48 In section 65F (power to enter business premises without a...

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- 49 In section 65G (power to enter business premises under a...
- 50 In section 65H (power to enter domestic premises under a...
- 51 In section 65N (false or misleading information), in subsections (1)...
- 52 In section 75A (rules in relation to Parts 2 and...
- 53 (1) Schedule 1 (exclusions: mergers and concentrations) is amended as...
- 54 In Schedule 2 (exclusions: other competition scrutiny), in Part 3,...
- 55 (1) Schedule 3 (general exclusions) is amended as follows.
- 56 (1) Schedule 6A (commitments) is amended as follows.
- 57 (1) Schedule 8 (appeals) is amended as follows.
- 58 (1) Schedule 9 (rules under section 51) is amended as...
- PART 2 — TRANSFER OF FUNCTIONS UNDER THE 2002 ACT TO THE CMA
- 59 The Enterprise Act 2002 is amended as follows.

Part 1

- 60 (1) Section 5 (acquisition of information etc) is amended as...
- 61 In section 6 (provision of information etc to the public),...
- 62 (1) Section 7 (provision of information and advice to Ministers...
- 63 Omit section 8 (promoting good consumer practice).
- 64 (1) Section 11 (super-complaints) is amended as follows.
- 65 For the title to Part 1 substitute “ General functions...

Part 2

- 66 In Schedule 4 (Competition Appeal Tribunal: procedure), in Part 2...

Part 3

- 67 (1) Section 22 (duty to make references in relation to...
- 68 In section 23 (relevant merger situations), in subsection (9), in...
- 69 In section 24 (time-limits and prior notice), in subsection (2),...
- 70 In section 25 (extension of time-limits), in subsections (1) to...
- 71 In section 28 (turnover test), in subsection (5), for “OFT”...
- 72 (1) Section 33 (duty to make references in relation to...
- 73 (1) Section 34A (duty where case referred by the European...
- 74 Before section 35 (but after the italic cross-heading immediately preceding...
- 75 In section 35 (questions to be decided in relation to...
- 76 In section 36 (questions to be decided in relation to...
- 77 (1) Section 37 (cancellation and variation of references under section...
- 78 (1) Section 38 (investigations and reports on references under section...
- 79 In section 39 (time-limits for investigations and reports), in subsections...
- 80 In section 40 (section 39: supplementary), in subsections (10), (11)...
- 81 In section 41 (duty to remedy effects of completed or...
- 82 (1) Section 42 (intervention by Secretary of State in certain...
- 83 (1) Section 43 (intervention notices under section 42) is amended...
- 84 (1) Section 44 (investigation and report) is amended as follows....
- 85 (1) Section 45 (power of Secretary of State to refer...
- 86 In section 46 (references under section 46: supplementary), in subsection...
- 87 (1) Section 46A (cases referred by European Commission where intervention...

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- 88 Before section 47 (but after the italic cross-heading immediately preceding...
- 89 In section 47 (questions to be decided on references under...
- 90 In section 48 (cases where references on certain questions need...
- 91 In section 49 (variation of references under section 45), in...
- 92 In section 50 (investigations and reports on references under section...
- 93 (1) Section 51 (time-limits for investigations and reports) is amended...
- 94 Section 52 (section 51: supplementary), in subsections (10), (11) and...
- 95 (1) Section 53 (restrictions on action where public interest considerations...
- 96 (1) Section 54 (decision of Secretary of State in public...
- 97 In section 55 (enforcement action by Secretary of State), in...
- 98 (1) Section 56 (competition cases where intervention on public interest...
- 99 (1) Section 57 (duties of authorities to inform Secretary of...
- 100 In section 58 (specified considerations), in subsection (4)(b) for “OFT,...
- 101 (1) Section 59 (intervention by Secretary of State in special...
- 102 (1) Section 60 (special intervention notices under section 59) is...
- 103 (1) In section 61 (initial investigation and report) is amended...
- 104 (1) Section 62 (power of Secretary of State to refer...
- 105 Before section 63 insert— Functions to be exercised by CMA...
- 106 In section 63 (questions to be decided on references under...
- 107 In section 64 (cancellation and variation of references under section...
- 108 In section 65 (investigations and reports on references under section...
- 109 In section 66 (decision and enforcement action by Secretary of...
- 110 In section 67 (intervention to protect legitimate interests), in subsections...
- 111 In section 68 (scheme for protecting legitimate interests), in subsection...
- 112 In section 72 (initial enforcement orders), in subsections (2), (6)...
- 113 In section 73 (undertakings in lieu of references), in subsections...
- 114 In section 74 (effect of undertakings under section 73), in...
- 115 In section 75 (order making power where undertakings under section...
- 116 (1) Section 76 (supplementary interim order-making power) is amended as...
- 117 In section 77 (restrictions on certain dealings: completed mergers), in...
- 118 In section 78 (restrictions on certain dealings: anticipated mergers), in...
- 119 (1) Section 79 (sections 77 and 78: further interpretation provisions)...
- 120 (1) Section 80 (interim undertakings) is amended as follows.
- 121 (1) Section 81 (interim orders) is amended as follows.
- 122 In section 82 (final undertakings), in subsections (1), (2) and...
- 123 (1) Section 83 (order-making powers where final undertakings not fulfilled)...
- 124 (1) Section 84 (final orders) is amended as follows.
- 125 In section 85 (enforcement regime for public interest and special...
- 126 (1) Section 91 (register of undertakings and orders) is amended...
- 127 In the italic cross-heading preceding section 92, for “OFT” substitute...
- 128 (1) Section 92 (duty to monitor undertakings and orders) is...
- 129 (1) Section 93 (further role in relation to undertakings and...
- 130 (1) Section 94 (rights to enforce undertakings and orders) is...
- 131 (1) Section 95 (rights to enforce statutory restrictions) is amended...
- 132 (1) Section 96 (merger notices) is amended as follows.
- 133 (1) Section 99 (certain functions in relation to merger notices)...

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- 134 In section 100 (exceptions to protection given by merger notices),...
- 135 (1) Section 104 (certain duties of relevant authorities to consult)...
- 136 In section 104A (public consultation in relation to media mergers),...
- 137 (1) Section 105 (general information duties) is amended as follows....
- 138 (1) Section 106 (advice and information about references under sections...
- 139 In section 106A (advice and information in relation to media...
- 140 In section 106B (general advisory duties of OFCOM), in subsections...
- 141 (1) Section 107 (further publicity requirements) is amended as follows....
- 142 In section 108 (defamation), for “OFT, OFCOM, the Commission” substitute...
- 143 In section 109 (attendance of witnesses and production of documents...
- 144 In section 110 (enforcement of powers under section 109: general),...
- 145 In section 111 (penalties), in subsections (1), (5) and (8),...
- 146 In section 112 (penalties: main procedural requirements), in subsections (1)...
- 147 In section 113 (payment and interest by instalments), in subsections...
- 148 In section 114 (appeals in relation to penalties), in subsections...
- 149 In section 115 (recovery of penalties), for “Commission” (in each...
- 150 In section 116 (statement of policy), in subsections (1), (3)...
- 151 In section 117 (false or misleading information), in subsections (1)...
- 152 (1) Section 118 (excisions from reports) is amended as follows....
- 153 (1) Section 119 (minority reports) is amended as follows.
- 154 (1) Section 119B (monitoring role in relation to media mergers)...
- 155 In section 120 (review of decisions under Part 3), in...
- 156 (1) Section 121 (fees) is amended as follows.
- 157 (1) Section 122 (primacy of EU law) is amended as...
- 158 Section 123 (power to alter share of supply test), in...
- 159 (1) Section 130 (index of defined expressions) is amended as...
- 160 (1) Schedule 7 (enforcement regime for public interest and special...
- 161 (1) Schedule 8 (provision that may be contained in certain...
- 162 In Schedule 10 (procedural requirements for certain enforcement undertakings and...

Part 4

- 163 (1) Section 131 (power to make market investigation references) is...
- 164 (1) Section 132 (ministerial power to make market investigation references)...
- 165 In section 133 (contents of references), in subsection (2), for...
- 166 Before section 134 (but after the italic cross-heading immediately preceding...
- 167 (1) Section 134 (questions to be decided on market investigation...
- 168 (1) Section 135 (variation of references) is amended as follows....
- 169 (1) Section 136 (investigations and reports on market investigation references)...
- 170 In section 137 (time-limits for market investigations and reports), in...
- 171 In section 138 (duty to remedy adverse effects), in subsections...
- 172 In section 139 (public interest intervention by the Secretary of...
- 173 In section 140 (intervention notices under section 139(1)), in subsection...
- 174 In section 141 (questions to be decided), in subsections (2)...

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- 175 (1) Section 142 (investigations and reports) is amended as follows....
- 176 In section 143 (publication etc. of reports), in subsections (1),...
- 177 In section 144 (time-limits for investigations and reports in public...
- 178 In section 145 (restrictions where public interest considerations not finalised),...
- 179 In section 146 (decision of Secretary of State), in subsections...
- 180 In section 147 (remedial action by Secretary of State), in...
- 181 (1) Section 148 (reversion of the matter) is amended as...
- 182 In section 149 (intervention notices under section 139(2)), in subsections...
- 183 (1) Section 150 (power of veto of Secretary of State)...
- 184 (1) Section 151 (further interaction of intervention notices with general...
- 185 (1) Section 152 (certain duties in relation to providing information)...
- 186 In section 153 (specified considerations for purposes of Part 4),...
- 187 In section 154 (undertakings in lieu of market investigation references),...
- 188 In section 155 (undertakings in lieu: procedural requirements), in subsections...
- 189 In section 156 (effect of undertakings under section 154), in...
- 190 In section 159 (final undertakings: Part 4), in subsections (1),...
- 191 (1) Section 160 (order-making power where final undertakings not fulfilled:...
- 192 (1) Section 161 (final orders: Part 4) is amended as...
- 193 For the italic cross-heading before section 162 substitute “ Undertakings...
- 194 (1) Section 162 (duty to monitor undertakings and orders: Part...
- 195 (1) Section 163 (further role in relation to undertakings and...
- 196 (1) Section 166 (register of undertakings and orders: Part 4)...
- 197 (1) Section 167 (rights to enforce undertakings and orders under...
- 198 In section 168 (regulated markets), in subsections (1), (2), (6)...
- 199 In section 169 (certain duties of relevant authorities to consult:...
- 200 (1) Section 170 (general information duties) is amended as follows....
- 201 (1) Section 171 (advice and information: Part 4) is amended...
- 202 (1) Section 172 (further publicity requirements: Part 4) is amended...
- 203 In section 173 (defamation)— (a) for “OFT” substitute “ CMA...
- 204 In section 174 (investigatory powers), in subsections (3) to (5),...
- 205 In section 177 (excisions from reports: Part 4), in subsections...
- 206 (1) Section 178 (minority reports: Part 4) is amended as...
- 207 In section 179 (review of decisions under Part 4), in...
- 208 In section 183 (interpretation of Part 4), in subsection (3),...
- 209 (1) Section 184 (index of defined expressions: Part 4) is...

Part 6

- 210 In section 190 (cartel offence: prosecution), in subsections (2)(b) and...
- 211 In section 192 (investigation of cartel offences), in subsections (1)...
- 212 In section 193 (powers when conducting an investigation), in subsections...
- 213 In section 194 (power to enter premises under a warrant),...
- 214 In section 195 (exercise of powers by authorised person), in...
- 215 In section 196 (privileged information etc), in subsection (2)(b), for...
- 216 In section 201 (offences), in subsection (4)(a), for “OFT” substitute...

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Part 11

- 217 (1) Section 273 (interpretation) is amended as follows.
PART 3 — ABOLITION OF THE COMPETITION COMMISSION

Amendments of the 1998 Act

- 218 The 1998 Act is amended as follows.
219 In the heading of Chapter 4 of Part 1, omit...
220 Omit section 45 (establishment of Competition Commission) and the cross-...
221 In section 59 (interpretation of Part 1), in subsection (1),...
222 Omit Schedule 7 (Competition Commission).
223 Omit Schedule 7A (Competition Commission: procedural rules for mergers and...

Amendments of the 2002 Act

- 224 The 2002 Act is amended as follows.
225 Omit sections 185 to 187 (the Competition Commission).
226 In Schedule 3 (the Competition Service), omit Part 2 (transfers...
227 Omit Schedule 11 (the Competition Commission).
228 Omit Schedule 12 (Competition Commission: certain procedural rules).
PART 4 — ABOLITION OF THE OFFICE OF FAIR TRADING
229 Omit sections 1 to 4 of, and Schedule 1 to,...

SCHEDULE 6 — Regulatory appeals etc: minor and consequential amendments

PART 1 — AMENDMENTS TO ACTS

Competition Act 1980 (c. 21)

- 1 The Competition Act 1980 is amended as follows.
2 (1) Section 11 (reference of public bodies and certain other...
3 In section 11A (references under section 11: time-limits), in subsections...
4 (1) Section 11C (references under section 11: further supplementary provisions)...
5 In section 12 (orders following report under section 11), in...
6 In section 16 (general provisions as to reports), in subsection...
7 In section 17 (laying before Parliament and publication of reports),...
8 In section 33 (short title, interpretation, etc), in subsection (2),...

Solicitors (Scotland) Act 1980 (c. 46)

- 9 The Solicitors (Scotland) Act 1980 is amended as follows.
10 In section 25A (rights of audience in the Court of...
11 (1) Section 64A (advisory and supervisory functions) is amended as...
12 (1) Section 64C (investigatory powers) is amended as follows.
13 In section 64CA (enforcement of notices under section 64C), in...
14 (1) In section 65 (interpretation), in subsection (1)—

Gas Act 1986 (c. 44)

- 15 The Gas Act 1986 is amended as follows.
16 (1) Section 23B (appeals) is amended as follows.
17 (1) Section 23C (procedure on appeal) is amended as follows....

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- 18 (1) Section 23D (determination of appeal) is amended as follows....
- 19 (1) Section 23E (powers on allowing appeal) is amended as...
- 20 (1) Section 23F (time limits for determination of appeal) is...
- 21 (1) Section 23G (supplementary provision about determination of appeal) is...
- 22 In section 27 (modification by order under other enactments), in...
- 23 (1) Section 41D (application by Authority for order including new...
- 24 (1) Section 41E (references) is amended as follows.
- 25 In section 41EA (references under section 41E: time limits), in...
- 26 In section 41EB (references under section 41E: application of the...
- 27 (1) Section 41F (reports on references) is amended as follows....
- 28 In section 48 (interpretation of Part 1), in subsection (1),...
- 29 (1) Schedule 4A (procedure for appeals under section 23B) is...

Electricity Act 1989 (c. 29)

- 30 The Electricity Act 1989 is amended as follows.
- 31 (1) Section 11C (appeals) is amended as follows.
- 32 (1) Section 11D (procedure on appeal) is amended as follows....
- 33 (1) Section 11E (determination of appeal) is amended as follows....
- 34 (1) Section 11F (powers on allowing appeal) is amended as...
- 35 (1) Section 11G (time limits for determination of appeal) is...
- 36 (1) Section 11H (supplementary provision about determination of appeal) is...
- 37 In section 15 (modification by order under other enactments), in...
- 38 (1) Section 56B (application for order including new activities) is...
- 39 (1) Section 56C (references) is amended as follows.
- 40 In section 56CA (references under section 56C: time limits), in...
- 41 In section 56CB (references under section 56C: application of Enterprise...
- 42 (1) Section 56D (reports on references) is amended as follows....
- 43 In section 64 (interpretation etc of Part 1), in subsection...
- 44 (1) Schedule 5A (procedure for appeals under section 11C) is...

Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40)

- 45 The Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 is amended...
- 46 In section 26 (consideration of applications made under section 25),...
- 47 In section 31 (rules of conduct), in subsection (2), for...
- 48 (1) Section 40 (advisory and supervisory functions of Director) is...
- 49 (1) Section 41 (investigatory powers of Director) is amended as...
- 50 In section 41A (enforcement of notices under section 41), in...
- 51 In section 44 (interpretation of Part 2)—

Water Industry Act 1991 (c. 56)

- 52 The Water Industry Act 1991 is amended as follows.
- 53 (1) Section 12 (determinations under conditions of appointment) is amended...
- 54 (1) Section 14 (modification references) is amended as follows.
- 55 In section 14A (references under section 14: time limits), in...
- 56 (1) Section 15 (reports on modification references) is amended as...
- 57 In section 16 (modification following report), in subsections (1) and...

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- 58 (1) Section 16A (power of veto following report) is amended...
- 59 (1) Section 16B (power of veto following report: supplementary) is...
- 60 In section 17 (modification by order under other enactments), in...
- 61 (1) Section 17K (water supply licences: modification references) is amended...
- 62 In section 17L (references under section 17K: time limits), in...
- 63 (1) Section 17N (water supply licences: reports on modification references)...
- 64 In section 17O (water supply licences: modification following report), in...
- 65 (1) Section 17P (water supply licences: power of veto following...
- 66 (1) Section 17Q (section 17P: supplementary) is amended as follows....
- 67 In section 17R (water supply licences: modification by order under...
- 68 In section 219 (general interpretation), in subsection (1)—

Railways Act 1993 (c. 43)

- 69 The Railways Act 1993 is amended as follows.
- 70 (1) Section 13 (modification references) is amended as follows.
- 71 In section 13A (references under section 13: time limits), in...
- 72 (1) In section 13B (application of Enterprise Act 2002), in...
- 73 (1) Section 14 (reports on modification references) is amended as...
- 74 In section 15 (modification following report), in subsections (1), (4A),...
- 75 (1) Section 15A (power to veto modifications following report) is...
- 76 (1) Section 15B (making of modifications) is amended as follows....
- 77 (1) Section 15C (sections 15A and 15B: supplementary) is amended...
- 78 In section 16 (modification by order under other enactments), in...
- 79 (1) Section 74 (annual and other reports) is amended as...
- 80 In section 83 (interpretation of Part 1), in subsection (1)—...
- 81 (1) Schedule 4A (review of access charges by regulators) is...

Utilities Act 2000 (c. 27)

- 82 The Utilities Act 2000 is amended as follows.
- 83 (1) Section 5 (annual and other reports of Authority) is...
- 84 Section 104 (specialist members of the Competition Commission) is omitted....

Transport Act 2000 (c. 38)

- 85 The Transport Act 2000 is amended as follows.
- 86 (1) Section 12 (references) is amended as follows.
- 87 In section 12A (references under section 12: time limits), in...
- 88 In section 12B (references under section 12: application of Enterprise...
- 89 (1) Section 13 (reports on references) is amended as follows....
- 90 (1) Section 14 (modification following report) is amended as follows....
- 91 (1) Section 15 (power to give direction) is amended as...
- 92 (1) Section 16 (position where direction given) is amended as...
- 93 (1) Section 17 (duty as to modifications under section 16)...
- 94 (1) Section 18 (sections 15 and 16: general) is amended...
- 95 In section 19 (modification by order under other enactments), in...
- 96 (1) Schedule 10 (competition test: functions and agreements relating to...

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Communications Act 2003 (c. 21)

- 97 The Communications Act 2003 is amended as follows.
- 98 (1) Section 193 (reference of price control matters) is amended...
- 99 Section 194 (composition of Competition Commission for price control references)...
- 100 In section 197 (interpretation of Chapter 3), before the definition...

Energy Act 2004 (c. 20)

- 101 The Energy Act 2004 is amended as follows.
- 102 (1) Section 173 (appeals) is amended as follows.
- 103 (1) Section 174 (procedure on appeals) is amended as follows....
- 104 (1) Section 175 (determination of appeals) is amended as follows....
- 105 Section 176 is omitted.
- 106 Section 177 is omitted.
- 107 (1) Schedule 22 (procedure for appeals under section 173) is...

Legal Services Act 2007 (c. 29)

- 108 The Legal Services Act 2007 is amended as follows.
- 109 (1) Section 57 (reports) is amended as follows.
- 110 (1) Section 58 (Board's response to report) is amended as...
- 111 (1) Section 59 (referral of report by Lord Chancellor) is...
- 112 (1) Section 60 (duties of the Competition Commission) is amended...
- 113 (1) Section 61 (Lord Chancellor's power to give directions) is...
- 114 In section 66 (Board's power to recommend orders), in subsection...
- 115 In section 67 (effect of Board's designation as approved regulator),...
- 116 In section 207 (interpretation), in subsection (1)—
- 117 (1) Schedule 4 (approved regulators) is amended as follows.
- 118 (1) Schedule 6 (alteration of reserved legal activities) is amended...
- 119 (1) Schedule 7 (directions: procedure) is amended as follows.
- 120 (1) Schedule 8 (intervention directions: procedure) is amended as follows....
- 121 (1) Schedule 9 (cancellation of designation as approved regulator) is...
- 122 (1) Schedule 10 (designation of approved regulators as licensing authorities)...
- 123 In Schedule 24 (index of defined expressions)—

Postal Services Act 2011 (c. 5)

- 124 The Postal Services Act 2011 is amended as follows.
- 125 (1) Section 59 (price control decisions) is amended as follows....
- 126 In section 60 (section 59: supplementary), in subsections (1) and...

Health and Social Care Act 2012 (c. 7)

- 127 The Health and Social Care Act 2012 is amended as...
- 128 (1) Section 101 (licence condition modification references) is amended as...
- 129 In section 102 (modification of conditions by order under other...
- 130 In section 103 (standard condition as to transparency of certain...
- 131 (1) Section 120 (responses to consultation on proposals for national...
- 132 (1) Section 121 (determination on reference under section 120) is...

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- 133 In section 122 (changes following determination on reference under section...
- 134 (1) Section 123 (power to veto changes proposed under section...
- 135 (1) Section 142 (responses to consultation on proposal to impose...
- 136 (1) Section 149 (electronic communications) is amended as follows.
- 137 In section 150 (interpretation etc. of Part 3), in subsection...
- 138 (1) Schedule 10 (references by Monitor under section 101 or...
- 139 (1) Schedule 12 (procedure on references under section 120) is...

Civil Aviation Act 2012 (c. 19)

- 140 The Civil Aviation Act 2012 is amended as follows.
- 141 (1) Section 24 (appeals: conditions of new licences) is amended...
- 142 (1) Section 25 (appeals: modification of licence conditions) is amended...
- 143 In section 26 (when appeals may be allowed), for “Competition...
- 144 (1) Section 27 (determination of appeal) is amended as follows....
- 145 (1) Section 28 (determination of appeal: time limits) is amended...
- 146 (1) Section 29 (determination of appeal: publication etc) is amended...
- 147 (1) Section 30 (procedure on appeals) is amended as follows....
- 148 (1) Schedule 2 (appeals under sections 24 and 25) is...

PART 2 — AMENDMENTS TO OTHER ENACTMENTS

Electricity (Northern Ireland) Order 1992 (SI 1992/231 (N.I. 1))

- 149 The Electricity (Northern Ireland) Order 1992 is amended as follows....
- 150 In article 2 (interpretation), in paragraph (2), before the definition...
- 151 (1) Article 15 (modification references) is amended as follows.
- 152 In article 15A (references under article 15: time limits), in...
- 153 (1) Article 16 (reports on modification references) is amended as...
- 154 In article 17 (modification following report), in paragraphs (1) and...
- 155 (1) Article 17A (power to veto modifications following report) is...
- 156 In article 18 (modification by order under other statutory provisions),...
- 157 (1) Article 53 (annual and other reports) is amended as...

Gas (Northern Ireland) Order 1996 (SI 1996/275 (N.I.2))

- 158 The Gas (Northern Ireland) Order 1996 is amended as follows....
- 159 In article 2 (interpretation), in paragraph (2), before the definition...
- 160 (1) Article 15 (modification references) is amended as follows.
- 161 In article 15A (references under article 15: time limits), in...
- 162 (1) Article 16 (reports on modification references) is amended as...
- 163 In article 17 (modification following report), in paragraphs (1) and...
- 164 (1) Article 17A (power to veto modifications following report) is...
- 165 In article 18 (modification by order under other statutory provisions),...
- 166 (1) Article 32 (annual and other reports) is amended as...

Energy (Northern Ireland) Order 2003 (SI 2003/419 (N.I. 6))

- 167 The Energy (Northern Ireland) Order 2003 is amended as follows....
- 168 (1) Article 6 (annual and other reports of the Authority)...
- 169 In article 38 (modification of licences), in paragraphs (1) and...
- 170 (1) Schedule 2 (orders altering licensable activities) is amended as...

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Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (SI 2005/3172)

- 171 The Water Services etc (Scotland) Act 2005 (Consequential Provisions and...
- 172 In article 2 (interpretation), in paragraph (1), for the definition...
- 173 (1) Article 3 (references) is amended as follows.
- 174 In article 4 (references: time limits), in paragraphs (2) and...
- 175 In article 5 (references: powers of investigation), in paragraph (4)(a),...
- 176 (1) Article 6 (consultation on proposals) is amended as follows....
- 177 (1) Article 7 (reports on references) is amended as follows....
- 178 (1) Article 8 (modifications following report) is amended as follows....
- 179 (1) Article 9 (power of veto following report) is amended...
- 180 (1) Article 10 (article 9: supplementary) is amended as follows....

Water and Sewerage Services (Northern Ireland) Order 2006 (SI 2006/3336 N.I. 21)

- 181 The Water and Sewerage Services (Northern Ireland) Order 2006 is...
- 182 In article 2 (interpretation), in paragraph (2)—
- 183 (1) Article 19 (determinations under conditions of appointment) is amended...
- 184 (1) Article 21 (modification references) is amended as follows.
- 185 In article 22 (references under article 21: time limits), in...
- 186 (1) Article 24 (reports on modification references) is amended as...
- 187 In article 25 (modifications following report), in paragraphs (1) and...
- 188 (1) Article 26 (power of veto following report) is amended...
- 189 (1) Article 27 (power of veto following report: supplementary) is...
- 190 In article 28 (modification by order under other statutory provisions),...
- 191 In article 57 (restrictions on disclosure of information), in sub-paragraph...

Legal Services (Scotland) Act 2010 (asp 16)

- 192 The Legal Services (Scotland) Act 2010 is amended as follows....
- 193 In section 8 (pre-approval consideration), in subsection (1)(b), for “OFT”...
- 194 In section 15 (initial considerations), in subsections (1) and (2),...
- 195 In section 28 (communicating outside), in subsection (1)(e), for “OFT”...
- 196 In section 49 (majority ownership), in subsection (5)(b)(iii), for “OFT”...
- 197 (1) Section 76 (input) is amended as follows.
- 198 In section 92 (certification of bodies), in subsections (4) and...
- 199 In section 103 (certification of bodies), in subsections (4) and...
- 200 (1) Section 113 (regard to input) is amended as follows....
- 201 In section 122 (particular rules), in subsection (2), for “OFT”...
- 202 In section 125 (citizens advice bodies), in subsection (4)(b), for...
- 203 In section 147 (further modification), in subsection (3)(d), for “OFT”...
- 204 (1) In section 149 (definitions), in subsection (1)—
- 205 In schedule 2 (directions), in paragraph 4, in sub-paragraph (3),...
- 206 In schedule 5 (amendment of authorisation), in paragraph 4, in...
- 207 In schedule 6 (rescission of authorisation), in paragraph 4, in...
- 208 In schedule 7 (surrender of authorisation), in paragraph 3, in...
- 209 In schedule 9 (index of expressions used), in the first...

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SCHEDULE 7 — Mergers: interim measures

Interim measures following references under section 22 or 33

- 1 Part 3 of the 2002 Act (mergers) is amended as...
- 2 (1) Section 80 (interim undertakings) is amended as follows.
- 3 (1) Section 81 (interim orders) is amended as follows.

Interim measures: public interest and special interest cases

- 4 (1) Schedule 7 (enforcement regime for public interest and special...

Interim measures: duration of interim orders under section 72

- 5 (1) Section 72 (initial enforcement orders: completed mergers) is amended...

SCHEDULE 8 — Mergers: time-limits

- 1 Part 3 of the 2002 Act (mergers) is amended as...
- 2 In section 22 (duty to make references in relation to...
- 3 In section 33 (duty to make references in relation to...
- 4 After section 34 insert— Time-limits for decisions about references (1)
In carrying out its function of deciding whether to...
- 5 (1) Section 39 (time-limits for investigations and reports) is amended...
- 6 After section 41 (duty to remedy effects of completed or...
- 7 After section 73 (undertakings in lieu of references under section...
- 8 (1) Section 96 (merger notices) is amended as follows.
- 9 Sections 97 and 98 (period for considering merger notices) are...
- 10 (1) Section 99 (certain functions in relation to merger notices)...
- 11 (1) Section 100 (exceptions to protection given by merger notices)...
- 12 (1) Section 101 (merger notices: regulations) is amended as follows....
- 13 (1) Section 124 (order and regulations under Part 3) is...

SCHEDULE 9 — Markets: cross-market references

- 1 Part 4 of the 2002 Act (market investigations) is amended...
- 2 (1) Section 133 (contents of references) is amended as follows....
- 3 (1) Section 134 (questions to be decided on market investigation...
- 4 In section 138 (duty to remedy adverse effects), in subsection...
- 5 (1) Section 141 (questions to be decided where intervention notice...
- 6 In section 147 (remedial action by the Secretary of State),...
- 7 In section 154 (undertakings in lieu of references), in subsection...
- 8 (1) Section 156 (effect of undertakings under section 154) is...
- 9 (1) Section 184 (index of defined expressions for Part 4)...

SCHEDULE 10 — Markets: public interest interventions

- 1 Part 4 of the 2002 Act (market investigations) is amended...
- 2 (1) Section 131 (power to make market investigation references) is...
- 3 In section 132 (ministerial power to make references), in subsection...
- 4 In section 135 (variation of references), in subsection (1), for...
- 5 (1) Section 140 (supplementary provision about intervention notices under section...
- 6 After section 140A (inserted by section 35) insert— Variation of...
- 7 (1) Section 141 (questions to be decided where section 139(1)...
- 8 (1) Section 142 (investigations and reports) is amended as follows....

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- 9 (1) Section 143 (publication etc of reports) is amended as...
- 10 After section 143 insert— Full PI references: publication etc of...
- 11 (1) Section 144 (time-limits for investigations and reports in public...
- 12 (1) Section 145 (restrictions where public interest considerations not finalised:...
- 13 (1) Section 146 (decision of Secretary of State) is amended...
- 14 After section 146 insert— Full PI references: decision of Secretary...
- 15 In section 147 (remedial action by Secretary of State), in...
- 16 After section 147 insert— Full PI references: remedial action by...
- 17 (1) Section 148 (reversion of the matter) is amended as...
- 18 After section 148 insert— Full PI references: reversion of the...
- 19 (1) Section 149 (intervention notices under section 139(2)) is amended...
- 20 In section 150 (power of veto of Secretary of State:...
- 21 (1) Section 151 (further interaction of intervention notices with general...
- 22 In section 152 (certain duties in relation to providing information),...
- 23 In section 155 (undertakings in lieu: procedural requirements), in subsection...
- 24 (1) Section 157 (interim undertakings: Part 4) is amended as...
- 25 In section 158 (interim orders: Part 4), in subsection (1)(b),...
- 26 In section 159 (final undertakings: Part 4), in subsection (2),...
- 27 (1) Section 160 (order-making power where final undertakings not fulfilled:...
- 28 In section 161 (final orders: Part 4), in subsection (2),...
- 29 In section 169 (certain duties of relevant authorities to consult:...
- 30 (1) Section 172 (further publicity requirements: Part 4) is amended...
- 31 In section 177 (excisions from reports: Part 4), in subsection...
- 32 (1) Section 183 (interpretation: Part 4) is amended as follows....
- 33 (1) Section 184 (index of defined expressions in Part 4)...

SCHEDULE 11 — Markets: investigation powers

Enforcement of investigation powers

- 1 After section 174 of the 2002 Act insert— Enforcement of of...

Investigation powers: miscellaneous consequential amendments

- 2 Part 4 of the 2002 Act (market investigations) is amended...
- 3 Omit section 175 (enforcement of powers under section 174: offences)...
- 4 Omit section 176 (investigation powers of the Commission).
- 5 In section 179 (review of decisions under Part 4), in...
- 6 (1) Section 181 (orders under Part 4) is amended as...

SCHEDULE 12 — Markets: time-limits

Market studies and decisions whether to make a reference under section 131

- 1 Before section 131 of the 2002 Act (power to make...
- 2 After section 131 of that Act insert— Decisions about references...

Market investigations and reports

- 3 (1) Section 137 of the 2002 Act (time-limits for market...

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Remedies implementation

- 4 In section 138 of the 2002 Act (duty to remedy...
5 After section 138 of that Act insert— Time-limits for discharging...

Time-limits: public interest intervention cases

- 6 (1) Section 144 of the 2002 Act (time-limits for investigations...

Time-limits: consequential and other minor amendments

- 7 Part 4 of the 2002 Act (market investigations) is amended...
8 In the heading of that Part, at the beginning insert...
9 In the heading of Chapter 1, at the beginning insert...
10 (1) Section 132 (ministerial power to make references) is amended...
11 In section 135 (variation of references), omit subsection (4).
12 In section 156 (effect of undertakings under section 154), after...
13 In section 169 (certain duties of relevant authorities to consult:...
14 (1) Section 172 (further publicity requirements: Part 4) is amended...
15 In section 179 (review of decisions under Part 4), in...
16 (1) Section 181 (orders under Part 4) is amended as...
17 In section 184 (index of defined expressions in Part 4),...

SCHEDULE 13 — Extension of powers to issue warrants under the 1998 Act to CAT

- 1 The 1998 Act is amended as follows.
2 (1) Section 28 (power to enter business premises under a...
3 (1) Section 28A (power to enter domestic premises under a...
4 In section 61 (interpretation of Part 2), after the definition...
5 (1) Section 62 (power to enter business premises under a...
6 (1) Section 62A (power to enter non-business premises under a...
7 (1) Section 63 (power to enter business premises under a...
8 In section 65C (interpretation of Part 2A), in subsection (2),...
9 (1) Section 65G (power to enter business premises under a...
10 (1) Section 65H (power to enter domestic premises under a...

SCHEDULE 14 — Regulators: use of powers under the 1998 Act

Gas Act 1986 (c. 44)

- 1 The Gas Act 1986 is amended as follows.
2 (1) Section 28 (orders for securing compliance) is amended as...
3 In section 30A (penalties), for subsection (2) substitute—

Electricity Act 1989 (c. 29)

- 4 The Electricity Act 1989 is amended as follows.
5 (1) Section 25 (orders for securing compliance) is amended as...
6 In section 27A (penalties), for subsection (2) substitute—
7 In section 43 (functions with respect to competition), in subsection...

Water Industry Act 1991 (c. 56)

- 8 The Water Industry Act 1991 is amended as follows.
9 (1) Section 19 (exception to duty to enforce) is amended...
10 In section 22A (penalties), for subsection (13) substitute—

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Railways Act 1993 (c. 43)

- 11 The Railways Act 1993 is amended as follows.
- 12 (1) Section 55 (orders for securing compliance) is amended as...
- 13 In section 57A (penalties), for subsection (6) substitute—
- 14 In section 67 (functions of the Office of Rail Regulation...

Transport Act 2000 (c. 38)

- 15 (1) Section 21 of the Transport Act 2000 (exceptions to...

Communications Act 2003 (c. 21)

- 16 The Communications Act 2003 is amended as follows.
- 17 In section 94 (notification of contravention of SMP apparatus conditions),...
- 18 In section 96A (notification of contravention of condition other than...

Postal Services Act 2011 (c. 5)

- 19 In Schedule 7 to the Postal Services Act 2011 (enforcement...

Health and Social Care Act 2012 (c. 7)

- 20 The Health and Social Care Act 2012 is amended as...
- 21 In section 105 (discretionary requirements), after subsection (3) insert—
- 22 In section 106 (enforcement undertakings), after subsection (3) insert—

The Electricity (Northern Ireland) Order 1992 (S.I. 1992/231 (N.I. 1))

- 23 In article 46 of the Electricity (Northern Ireland) Order 1992,...

The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6))

- 24 The Energy (Northern Ireland) Order 2003 is amended as follows....
- 25 (1) Article 42 (orders for securing compliance) is amended as...
- 26 In article 45 (financial penalties), for paragraph (3) substitute—

The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21))

- 27 The Water and Sewerage Services (Northern Ireland) Order 2006 is...
- 28 (1) Article 31 (exceptions to duty to enforce) is amended...
- 29 In article 35 (financial penalties), for paragraph (11) substitute—

SCHEDULE 15 — Minor and consequential amendments: Part 4

Civil Aviation Act 1982 (c. 16)

- 1 In Schedule 1 to the Civil Aviation Act 1982 (constitution...

Gas Act 1986 (c. 44)

- 2 In section 36A of the Gas Act 1986 (functions with...

Electricity Act 1989 (c. 29)

- 3 In section 43 of the Electricity Act 1989 (functions with...

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Water Industry Act 1991 (c. 56)

- 4 The Water Industry Act 1991 is amended as follows.
- 5 In section 31 (functions with respect to competition), in subsections...
- 6 In Schedule 1A (constitution etc. of the Authority), in paragraph...

Railways Act 1993 (c. 43)

- 7 In section 67 of the Railways Act 1993 (functions with...

Competition Act 1998 (c. 41)

- 8 The Competition Act 1998 is amended as follows.
- 9 In section 26 (powers when conducting investigations), in subsection (3) (b),...
- 10 In section 38 (guidance on level of penalties), in subsection...
- 11 In section 54 (regulators), in subsection (1)—
- 12 (1) Schedule 1 (exclusions: mergers and concentrations) is amended as...

Utilities Act 2000 (c. 27)

- 13 In Schedule 1 to the Utilities Act 2000 (constitution etc....

Transport Act 2000 (c. 38)

- 14 In section 86 of the Transport Act 2000 (functions with...

Enterprise Act 2002 (c. 40)

- 15 The Enterprise Act 2002 is amended as follows.
- 16 (1) Section 25 (extension of time-limits) is amended as follows....
- 17 Omit section 31 (information powers in relation to completed mergers)....
- 18 (1) Section 32 (supplementary provision for purposes of sections 25...
- 19 (1) Section 34A (duty where case referred by European Commission)...
- 20 Omit section 34B (power to request information in referred cases)....
- 21 (1) Section 42 (intervention by Secretary of State in certain...
- 22 In section 46 (references under section 45: supplementary), in subsection...
- 23 (1) Section 46B (extension of preliminary assessment period) is amended...
- 24 Omit section 46C (power to request information in referred cases)....
- 25 (1) Section 49 (variation of references under section 45) is...
- 26 (1) Section 59 (intervention by Secretary of State in special...
- 27 (1) Section 64 (cancellation and variation of references under section...
- 28 (1) Section 67 (intervention to protect legitimate interests) is amended...
- 29 In section 68 (scheme for protecting legitimate interests), in subsection...
- 30 In section 77 (restrictions on certain share dealings: completed mergers),...
- 31 In section 78 (restrictions on certain share dealings: anticipated mergers),...
- 32 In section 89 (subject matter of undertakings), in subsection (2)—...
- 33 (1) Section 93 (further role of OFT in relation to...
- 34 In section 94 (rights to enforce undertakings and orders), in...
- 35 (1) Section 99 (functions in relation to merger notices) is...

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- 36 (1) Section 107 (further publicity requirements) is amended as follows....
- 37 In section 130 (index of defined expressions), omit the entry...
- 38 (1) Schedule 7 (enforcement regime for public interest and special...
- 39 In Schedule 15 (enactments conferring functions for the purposes of...

Office of Communications Act 2002 (c. 11)

- 40 In Schedule 1 to the Office of Communications Act 2002...

Railways and Transport Safety Act 2003 (c. 20)

- 41 In Schedule 1 to the Rail and Transport Safety Act...

Communications Act 2003 (c. 21)

- 42 The Communications Act 2003 is amended as follows.
- 43 (1) Section 192 (appeals against decisions by OFCOM etc) is...
- 44 In section 193 (reference of price control matters), in subsection...
- 45 In section 195 (decisions of the Tribunal), in subsection (9),...
- 46 In section 371 (functions under the Competition Act 1998), in...

Health and Social Care Act 2012 (c. 7)

- 47 The Health and Social Care 2012 is amended as follows....
- 48 In section 72 (functions under the Competition Act 1998), in...
- 49 In Schedule 8 (constitution etc. of Monitor), in paragraph 11,...

Civil Aviation Act 2012 (c. 19)

- 50 The Civil Aviation Act 2012 is amended as follows.
- 51 In section 62 (functions under Competition Act 1998), in subsections...
- 52 In section 63 (Competition Act 1998: supplementary), in subsection (1),...

Electricity (Northern Ireland) Order 1992 (SI 1992/231 (N.I. 1))

- 53 In article 46 of the Electricity (Northern Ireland) Order 1992...

Gas (Northern Ireland) Order 1996 (SI 1996/275 (N.I. 2))

- 54 In article 23 of the Gas (Northern Ireland) Order 1996...

Energy (Northern Ireland) Order 2003 (SI 2003/419 (N.I. 6))

- 55 In Schedule 1 to the Energy (Northern Ireland) Order 2003...

SCHEDULE 16 — Local listed building consent orders: procedure
In the Planning (Listed Buildings and Conservation Areas) Act 1990,...

SCHEDULE 17 — Heritage planning regulation

National Heritage Act 1983 (c. 47)

- 1 (1) Section 33 of the National Heritage Act 1983 (the...

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Town and Country Planning Act 1990 (c. 8)

- 2 The Town and Country Planning Act 1990 is amended as...
- 3 In section 108 (compensation for refusal or conditional grant of...
- 4 In section 171B (time limits for enforcement of breaches of...
- 5 In section 174 (appeal against enforcement notice) before subsection (3)...
- 6 After section 196C insert— Conservation areas Offence of failing to...

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

- 7 The Planning (Listed Buildings and Conservation Areas) Act 1990 is...
- 8 (1) Section 1 (listing of buildings of special architectural or...
- 9 (1) Section 6 (issue of certificate that building not intended...
- 10 In section 32(1)(a) (purchase notice on refusal or conditional grant...
- 11 In section 62(2) (validity of certain orders and decisions), after...
- 12 (1) Section 74 (control of demolition in conservation areas) is...
- 13 In section 75 (cases in which section 74 does not...
- 14 In section 82(3) (application of Act to land and works...
- 15 In section 82A(2) (application to the Crown), after paragraph (c)...
- 16 In section 88(2)(c) (rights of entry) after “11” insert “...
- 17 In section 92(2)(b) (application to Isles of Scilly), after “Schedules...
- 18 (1) Section 93 (regulations and orders) is amended as follows...
- 19 (1) Schedule 3 (determination of certain appeals by person appointed...

Application

- 20 Paragraph 8 applies in relation to entries for buildings that...

SCHEDULE 18 — Adjudicators: bankruptcy applications by debtors and bankruptcy orders

CHAPTER A1 Adjudicators: bankruptcy applications by debtors and bankruptcy orders...

SCHEDULE 19 — Adjudicators: minor and consequential amendments

- 1 The Insolvency Act 1986 is amended in accordance with this...
- 2 In section 253 (application for interim order), omit subsection (5)...
- 3 In section 255 (cases in which interim order can be...
- 4 (1) Section 256A (debtor's proposal and nominee's report) is amended...
- 5 For the heading to Chapter 1 of Part 9 substitute...
- 6 In section 264 (who may present a bankruptcy petition), in...
- 7 For section 265 (conditions to be satisfied in respect of...
- 8 In section 266 (bankruptcy petitions: other preliminary conditions), in subsection...
- 9 (1) Sections 272 to 274A (and the cross-heading immediately preceding...
- 10 For the cross-heading immediately before section 278 substitute— “CHAPTER...
- 11 In section 278 (commencement and continuance), in paragraph (b) (discharge...
- 12 In section 279 (duration of bankruptcy), in subsection (6) for...
- 13 In section 282 (court's power to annul bankruptcy order), in...
- 14 In section 283 (definition of bankrupt's estate), in subsection (5)(a)...
- 15 (1) Section 284 (restrictions on dispositions of property) is amended...

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- 16 (1) Section 285 (restriction on proceedings and remedies) is amended...
- 17 (1) Section 286 (power to appoint interim receiver) is amended...
- 18 In section 288 (statement of affairs), in subsection (1) for...
- 19 In section 290 (public examination of bankrupt), in subsection (4)(a)...
- 20
- 21
- 22
- 23 In section 298 (removal of trustee and vacation of office),...
- 24 (1) Section 299 (release of trustee) is amended as follows...
- 25 (1) Section 320 (court order vesting disclaimed property) is amended...
- 26 In section 321 (orders under section 320 in respect of...
- 27 In section 323 (mutual credit and set-off), in subsection (3)...
- 28 In section 334 (stay of distribution in case of second...
- 29 (1) Section 336 (rights of occupation etc of bankrupt's spouse...
- 30 In section 337 (rights of occupation of bankrupt), in subsection...
- 31 In section 339 (transactions at an undervalue), in subsection (1)...
- 32 In section 340 (preferences), in subsection (1) for “adjudged”
substitute...
- 33 In section 341 (meaning of “relevant time” under sections 339...
- 34 (1) Section 342 (orders under sections 339 and 340) is...
- 35 In section 342A (recovery of excessive pension contributions), in
subsection...
- 36 In section 343 (extortionate credit transactions), in subsection (1) for...
- 37 (1) Section 344 (avoidance of general assignment of book debts)...
- 38 In section 345 (contracts to which bankrupt is a party),...
- 39 (1) Section 346 (enforcement procedures) is amended as follows.
- 40 (1) Section 347 (distress, etc) is amended as follows.
- 41 In section 348 (apprenticeships, etc), in subsection (1)(a) for “petition...
- 42 In section 350 (application of Chapter 6 of Part 9:...
- 43 (1) Section 351 (definitions for the purposes of Chapter 6...
- 44 (1) Section 354 (concealment of property) is amended as follows....
- 45 (1) Section 355 (concealment of books and papers; falsification) is...
- 46 In section 356 (false statements), in subsection (2)(c) before “petition”...
- 47 In section 358 (absconding), in paragraph (b) before “petition” insert...
- 48 (1) Section 359 (fraudulent dealing with property obtained on credit)...
- 49 In section 360 (obtaining credit and engaging in business), in...
- 50 (1) Section 364 (power of arrest) is amended as follows....
- 51 In section 376 (time limits), after “anything” insert “ (including...
- 52 (1) Section 381 (definition of “bankrupt” and associated terminology)
is...
- 53 In section 383 (definition of “creditor” etc.), in subsection (1)(b)—...
- 54 In section 384 (definitions of “prescribed” and “the rules”), in...
- 55 In section 385 (miscellaneous definitions), in subsection (1)—
- 56 In section 387 (meaning of “the relevant date”), in subsection...
- 57 In section 389A (authorisation of nominees and supervisors), in
subsection...
- 58 In section 390 (persons not qualified to act as insolvency...
- 59 (1) Section 415 (fees orders) is amended as follows.
- 60 In section 421A (insolvent estates: joint tenancies), in subsection (9)...
- 61 In section 424 (who may apply for an order under...
- 62 In Schedule 4ZA (conditions for making a debt relief order),...
- 63 (1) In Schedule 4A (bankruptcy restrictions orders), paragraph 2 is...
- 64 In Schedule 6 (categories of preferential debts), in paragraph 14(1)...

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- 65 (1) Schedule 9 (provisions capable of inclusion in individual insolvency...
 66 (1) In the Table in Schedule 10 (punishment of offences),...

SCHEDULE 20 — Abolition of Agricultural Wages Board and related English bodies: consequential provision

- 1 In section 28 of the Rent (Agriculture) Act 1976 (duty...
 2 The repeals and revocations in the following table have effect....

SCHEDULE 21 — Unnecessary regulation: miscellaneous
 PART 1 — NOTIFICATION OF TV SALES ETC

Wireless Telegraphy Act 1967 (c. 72)

- 1 The Wireless Telegraphy Act 1967 (the remaining provisions of which...
 2 In consequence, the repeals in the following table have effect....

Saving provision

- 3 The repeal of section 3 of the Post Office Act...
 PART 2 — WATER UNDERTAKERS: IN-AREA BAN

Water Industry Act 1991 (c. 56)

- 4 In section 2 of the Water Industry Act 1991 (general...
 PART 3 — BANKRUPTCY EARLY DISCHARGE PROCEDURE

Insolvency Act 1986 (c. 45)

- 5 In section 279 of the Insolvency Act 1986 (duration of...

SCHEDULE 22 — Licensing of copyright and performers' rights
 PART 1 — REGULATION OF LICENSING BODIES

- 1 In the Copyright, Designs and Patents Act 1988, before Schedule...
 PART 2 — PERFORMERS' RIGHTS
 2 Schedule 2A to the Copyright, Designs and Patents Act 1988...
 3 In the heading of the Schedule omit “property”.
 4 In paragraph 1, after sub-paragraph (4) insert—
 5 After paragraph 1 insert— Power to provide for licensing of...
 6 In section 205A of the Copyright, Designs and Patents Act...

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 74 coming into force by [S.I. 2015/641 art. 2](#) (S.I. 2015/641 is revoked (20.7.2015) without ever being in force by S.I. 2015/1558, art. 2)
- Sch. 17 para. 12(2) omitted by [2023 asc 3 Sch. 13 para. 188\(a\)](#)
- Sch. 17 para. 12(4) omitted by [2023 asc 3 Sch. 13 para. 188\(b\)](#)
- Sch. 17 para. 12(5) omitted by [2023 asc 3 Sch. 13 para. 188\(b\)](#)
- specified provision(s) amendment to earlier commencing SI 2013/1455 art. 3 4 Sch. 3 by [S.I. 2013/2271 art. 2](#)
- specified provision(s) revocation of earlier commencing SI 2015/641 by [S.I. 2015/1558 art. 2](#)