



# Enterprise and Regulatory Reform Act 2013

## 2013 CHAPTER 24

### PART 4

#### COMPETITION REFORM

### CHAPTER 2

#### MARKETS

#### *Cross-market investigations*

### **33 Power of CMA to make cross-market references**

- (1) Section 131 of the 2002 Act (power to make market investigation references) is amended as follows.
- (2) After subsection (2) insert—
  - “(2A) In a case where the feature or each of the features concerned falls within subsection (2)(b) or (c), a reference under subsection (1) may be made in relation to more than one market in the United Kingdom for goods or services.”
- (3) In subsection (4)(a), for “section 156(1)” substitute “ section 156(A1) or (1) ”.
- (4) In subsection (6)—
  - (a) before the definition of “market in the United Kingdom” insert—

““cross-market reference” means a reference under this section which falls within subsection (2A) or a reference under section 132 which falls within subsection (3A) of that section (and see section 140A);”,

and

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**Changes to legislation:** There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Cross-market investigations. (See end of Document for details)

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(b) after the definition of “market investigation reference” insert—

““ordinary reference” means a reference under this section or section 132 which is not a cross-market reference (and see section 140A);”.

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**Commencement Information**

**II** S. 33 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(b) (with Sch.)

**34 Ministerial power to make cross-market references**

(1) Section 132 of the 2002 Act (ministerial power to make market investigation references) is amended as follows.

(2) After subsection (3) insert—

“(3A) In a case where the feature or each of the features concerned falls within section 131(2)(b) or (c), a reference under subsection (3) may be made in relation to more than one market in the United Kingdom for goods or services.”

(3) In subsection (4), for “section 156(1)” substitute “ section 156(A1) or (1) ”.

(4) Schedule 9 (which contains amendments of Part 4 of the 2002 Act which are consequential on section 33 and this section) has effect.

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**Commencement Information**

**I2** S. 34 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(b) (with Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Cross-market investigations.