
STATUTORY INSTRUMENTS

2014 No. 891

The Enterprise Act 2002 (Protection of Legitimate Interests) (Amendment) Order 2014

Amendments to the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003

7. After article 5 insert—

“Functions to be exercised by CMA groups

5A. Where a reference is made to the chair of the CMA under article 5 for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, the functions of the CMA under or by virtue of the following provisions in relation to the matter concerned are to be carried out on behalf of the CMA by the group so constituted—

- (a) articles 6 to 11;
- (b) article 14, so far as relating to anything done on behalf of the CMA by the group;
- (c) where a reference is treated by virtue of article 7(4) as having been made under article 5(2), paragraph (ab) of section 23(9) of the Act as applied by article 2;
- (d) sections 104(1) and 104A(2) of the Act as applied by article 15;
- (e) section 109(3) of the Act as applied by article 15, where the permitted purpose relates to a function that (by virtue of this article) is being or is to be carried out on behalf of the CMA by the group;
- (f) sections 110 to 115(4) of the Act as applied by article 15, so far as relating to a notice given under section 109 (as so applied) on behalf of the CMA by the group;
- (g) section 118(4)(5) of the Act as applied by article 15;
- (h) section 120(5)(b)(6) of the Act as applied by article 15, so far as relating to a decision of the group.”

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- (1) Section 104 was amended by paragraph 135 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.
 - (2) Section 104A was inserted by section 381 of the Communications Act 2003 and amended by paragraph 136 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.
 - (3) Section 109 was amended by section 29 of and paragraph 143 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.
 - (4) Sections 110 and 111 were amended by section 29 of and (respectively) paragraphs 144 and 145 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013. Sections 110A and 110B were inserted by section 29 of that Act. Sections 112, 113, 114 and 115 were amended by (respectively) paragraphs 146, 147, 148 and 149 of Schedule 5 to that Act.
 - (5) Section 118 was amended by paragraph 152 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.
 - (6) Section 120 was amended by section 31(2) of and paragraph 155 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.