
STATUTORY INSTRUMENTS

2019 No. 93

The Competition (Amendment etc.) (EU Exit) Regulations 2019

PART 2

Amendment of the Competition Act 1998

- 3.—(1) Section 10(1) is amended as follows.
- (2) In the heading, for “Parallel exemptions” substitute “Retained exemptions”.
- (3) Before subsection (1) insert—
- “(A1) An agreement is exempt from the Chapter I prohibition if it falls within a category of agreements specified as exempt in a retained block exemption regulation.”.
- (4) Omit subsections (1) and (2).
- (5) In subsection (3), for “parallel exemption” substitute “retained exemption”.
- (6) In subsection (4)—
- (a) for “parallel exemption” substitute “retained exemption”;
- (b) omit paragraph (a) (together with the final “and”);
- (c) in paragraph (b), for “exemption from the Community prohibition” substitute “retained block exemption regulation”.
- (7) In subsection (5)—
- (a) in paragraph (a)—
- (i) for “parallel exemption” substitute “retained exemption”;
- (ii) after “effect” insert “in respect of an agreement”;
- (b) in paragraph (d), after “exemption” insert “in respect of an agreement”.
- (8) Omit subsections (9) to (11).
- (9) After subsection (11), insert—
- “(12) In this Part, “retained block exemption regulation” means the following regulations as amended from time to time—
- (a) Council Regulation (EC) 169/2009 applying rules of competition to transport by rail, road and inland waterway;
- (b) Commission Regulation (EC) 906/2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia);
- (c) Commission Regulation (EU) 330/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices;

(1) Section 10 was amended by paragraph 38(1) and (8) of Schedule 25 to the Enterprise Act 2002 (c. 40), paragraphs 1 and 4 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013 (c. 24), S.I. 2004/1261 and S.I. 2012/1809.

- (d) Commission Regulation (EU) 461/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices in the motor vehicle sector;
- (e) Commission Regulation (EU) 1217/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements;
- (f) Commission Regulation (EU) 1218/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements;
- (g) Commission Regulation (EU) 316/2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements.”.