

SCHEDULE 4

Saving and transitional provision

PART 7

Enterprise Act 2002 [^{F1}and other merger control legislation]

Textual Amendments

F1 Words in Sch. 4 Pt. 7 heading inserted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **42**

- 28.**—(1) This paragraph applies in a case in which immediately before [^{F1}IP completion day]—
- (a) the Secretary of State has given a notice to the CMA under section 67(2) of the 2002 Act in relation to a European relevant merger situation;
 - (b) the matter to which the notice relates has not been finally determined in accordance with article 3 of the 2003 Order; and
 - [^{F2}(c) proceedings under the EC Merger Regulation in relation to the concentration concerned have not been initiated for the purposes of Article 92 of the EU withdrawal agreement.]
- (2) On and after [^{F3}IP completion day]—
- (a) the notice under section 67(2) of the 2002 Act has effect as if it were a notice under section 42(2) of that Act, and
 - (b) Part 3 of the 2002 Act has effect in relation to the case ^{F4}....
- (3) In sub-paragraph (2), the reference to Part 3 of the 2002 Act—
- (a) includes provision made under that Part; and
 - (b) is a reference to that Part and provision made under it as modified by these Regulations.

Textual Amendments

- F1** Words in Sch. 4 para. 28(1) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **55(2)(a)**
- F2** Sch. 4 para. 28(1)(c) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **55(2)(b)**
- F3** Words in Sch. 4 para. 28(2) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **55(3)(a)**
- F4** Words in Sch. 4 para. 28(2)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **55(3)(b)**

Commencement Information

- I1** Sch. 4 para. 28 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Competition (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 28.