
STATUTORY INSTRUMENTS

2020 No. 1343

**EXITING THE EUROPEAN UNION
COMPETITION**

The Competition (Amendment etc.) (EU Exit) Regulations 2020

Made - - - - 19th November 2020

Coming into force in accordance with regulation 1

**THE COMPETITION (AMENDMENT
ETC.) (EU EXIT) REGULATIONS 2020**

PART 1

Introduction

1. Citation, commencement, extent and interpretation

PART 2

Amendment of Part 2 of the 2019 Regulations: amendment of the Competition Act 1998

2. Part 2 of the 2019 Regulations is amended as follows....
3. After regulation 7, insert— In section 30A(1), for “sections 26 and 27 to 28A”...
4. After regulation 13, insert— After section 40, insert— Transferred EU anti-trust commitments and transferred...
5. In regulation 23, in inserted section 60A of the Competition...
6. In regulation 29, for paragraph (3), substitute—

PART 3

Amendment of Part 3 of the 2019 Regulations: amendment of the Enterprise Act 2002

7. Part 3 of the 2019 Regulations is amended as follows....
8. After regulation 48 insert— After section 95 insert— Transferred EU merger commitments Transferred EU...
9. After regulation 50 insert— After section 109 insert— Transferred EU merger commitments: witnesses, documents...
10. After regulation 51 insert— (1) Section 120 is amended as follows.
11. In regulation 55, after paragraph (c) insert—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 4

Amendment of Part 4 of the 2019 Regulations: amendment of other primary legislation

12. Schedule 1 to the 2019 Regulations is amended as follows....
13. Company Directors Disqualification Act 1986
14. Gas Act 1986
15. Electricity Act 1989
16. Water Industry Act 1991
17. Electricity (Northern Ireland) Order 1992
18. Railways Act 1993
19. Gas (Northern Ireland) Order 1996
20. Financial Services and Markets Act 2000
21. Transport Act 2000
22. Company Directors Disqualification (Northern Ireland) Order 2002
23. Communications Act 2003
24. Water and Sewerage Services (Northern Ireland) Order 2006
25. Health and Social Care Act 2012
26. Civil Aviation Act 2012
27. Financial Services (Banking Reform) Act 2013

PART 5

Amendment of Part 5 of the 2019 Regulations: amendment of subordinate legislation

28. Schedule 2 to the 2019 Regulations is amended as follows....
29. The Competition Act 1998 (Small Agreements and Conduct of Minor Significance) Regulations 2000
30. The Competition Act 1998 (Determination of Turnover for Penalties) Order 2000
31. The Competition Act 1998 (Concurrency) Regulations 2014
32. The Enterprise Act 2002 (Mergers) (Interim Measures: Financial Penalties) (Determination of Control and Turnover) Order 2014
33. The Water Mergers (Modification of Enactments) Regulations 2004

PART 6

Amendment of Part 6 of the 2019 Regulations: amendment of retained direct EU legislation

34. Amendment of Schedule 3: amendment of retained direct EU legislation

PART 7

Amendment of Part 7 of the 2019 Regulations: saving and transitional provision

CHAPTER 1

Competition Act 1998

35. Amendment of Part 2 of Schedule 4: Exemptions from the Chapter 1 prohibition
36. Amendment of Part 3 of Schedule 4: CMA investigations under Part 1 of the 1998 Act
37. Amendment of Part 4 of Schedule 4: Inspections and investigations under Parts 2 and 2A of the 1998 Act

38. Amendment of Part 5 of Schedule 4: Redress schemes further to European Commission decisions
39. Amendment of Part 6: Court and tribunal proceedings relating to competition
40. Insertion of Part 6A: Concentrations subject to EU controls in accordance with the EU withdrawal agreement

CHAPTER 2

Enterprise Act 2002 and other merger control legislation

41. Part 7 of Schedule 4 to the 2019 Regulations is...
42. In the heading of Part 7, after “2002” insert “and...”
43. In paragraph 18, in the definition of “EC Merger Regulation”,...
44. Omit paragraph 19.
45. After paragraph 19 insert— EU merger decisions annulled in full...
46. Article 22 cases referred to European Commission before IP completion day
47. Omit paragraph 21.
48. In paragraph 22, in sub-paragraphs (1) and (4), for “exit...”
49. Omit paragraph 23.
50. Cases referred by the European Commission to the CMA
51. Intervention to protect legitimate interests: no European intervention notice before IP completion day
52. After paragraph 25 insert— (1) This paragraph applies in a case where immediately before...
53. Intervention to protect legitimate interests: European intervention notice before IP completion day
54. (1) Paragraph 27 is amended as follows.
55. (1) Paragraph 28 is amended as follows.
56. Omit paragraphs 29 to 33.
57. General savings
58. After paragraph 35 insert— (1) Section 240 of the 2002 Act continues to have...

CHAPTER 3

Company Directors Disqualification Legislation

59. (1) Part 8 of Schedule 4 to the 2019 Regulations...
Signature
Explanatory Note