

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 13. (See end of Document for details)

SCHEDULES

SCHEDULE 13

Section 41

EXTENSION OF POWERS TO ISSUE WARRANTS UNDER THE 1998 ACT TO CAT

1 The 1998 Act is amended as follows.

Commencement Information

11 Sch. 13 para. 1 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 2 (1) Section 28 (power to enter business premises under a warrant) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (7) insert—
- “(7A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

12 Sch. 13 para. 2 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 3 (1) Section 28A (power to enter domestic premises under a warrant) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

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Commencement Information

I3 Sch. 13 para. 3 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 4 In section 61 (interpretation of Part 2), after the definition of “the Treaty” insert—
- ““the Tribunal” means the Competition Appeal Tribunal;”
- “Tribunal rules” means rules under section 15 of the Enterprise Act 2002.””.

Commencement Information

I4 Sch. 13 para. 4 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 5 (1) Section 62 (power to enter business premises under a warrant: Article 20 inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

I5 Sch. 13 para. 5 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 6 (1) Section 62A (power to enter non-business premises under a warrant: Article 21 inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (10) insert—
- “(10A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

I6 Sch. 13 para. 6 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 7 (1) Section 63 (power to enter business premises under a warrant: Article 22(2) inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

I7 Sch. 13 para. 7 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 8 In section 65C (interpretation of Part 2A), in subsection (2), after the entry for “the Treaty” (but before the “and” following it) insert—
- ““the Tribunal;”
- “Tribunal rules;””.

Commencement Information

I8 Sch. 13 para. 8 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 9 (1) Section 65G (power to enter business premises under a warrant: Article 22(1) investigations) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

I9 Sch. 13 para. 9 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 10 (1) Section 65H (power to enter domestic premises under a warrant: Article 22(1) investigations) is amended as follows.

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- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
 - (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

Commencement Information

I10 Sch. 13 para. 10 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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