
Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 4

THE COMPETITION AND MARKETS AUTHORITY

PART 1

GENERAL

Membership

- 1 (1) The CMA is to consist of—
- (a) a person appointed by the Secretary of State to chair the CMA and the CMA Board (the “chair”), and
 - (b) other persons appointed by the Secretary of State [^{F1}as follows]—
 - (i) [^{F2}persons appointed to membership of] the CMA Board (see Part 2);
 - (ii) [^{F3}persons appointed to membership of] the CMA panel (see Part 3);
 - (iii) [^{F4}persons appointed to membership of] both the CMA Board and the CMA panel.
 - [^{F5}(iv) a person (the “OIM panel chair”) appointed to chair the Office for the Internal Market panel and to membership of the CMA Board;
 - (v) other persons appointed to membership of the Office for the Internal Market panel (“the OIM panel”) (see Part 3A).]
- (2) The Secretary of State must consult the chair before making an appointment under sub-paragraph (1)(b).
- [^{F6}(2A) In making appointments under paragraphs (iv) and (v) of sub-paragraph (1)(b), the Secretary of State must have regard to the desirability of securing that—
- (a) a variety of skills, knowledge and experience is available among the members of the OIM panel, and
 - (b) there is an appropriate balance among the members of that panel of persons who have skills, knowledge or experience relating to the operation of the United Kingdom internal market in different parts of the United Kingdom.
- (2B) Before making an appointment under paragraph (iv) or (v) of sub-paragraph (1)(b), the Secretary of State must seek the consent of—
- (a) the Scottish Ministers,
 - (b) the Welsh Ministers, and
 - (c) the Department for the Economy in Northern Ireland.
- (2C) Sub-paragraph (2D) applies if consent to an appointment is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority.

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- (2D) In that event the Secretary of State—
- (a) may make the appointment without the consent of the authority or authorities concerned, and
 - (b) must, if the appointment is made, inform each authority which did not give consent of the reasons for the decision to proceed with the appointment.]
- (3) At least five of the members appointed under sub-paragraph (1)(b) must be appointed to membership of the CMA Board.
 - (4) At least one of the members appointed under sub-paragraph (1)(b) must be appointed to membership of the CMA Board and to membership of the CMA panel.
 - (5) Of the persons appointed to membership of the CMA Board under sub-paragraph (1)(b), no more than half may be members of staff of the CMA.
 - (6) In this Schedule, references to members of the CMA are to persons appointed under sub-paragraph (1).
 - (7) A person holding office as a member of the Competition Appeal Tribunal is ineligible for appointment under this paragraph.

Textual Amendments

- F1** Words in Sch. 4 para. 1(1)(b) substituted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(2)(a)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)
- F2** Words in Sch. 4 para. 1(1)(b)(i) inserted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(2)(b)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)
- F3** Words in Sch. 4 para. 1(1)(b)(ii) inserted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(2)(c)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)
- F4** Words in Sch. 4 para. 1(1)(b)(iii) inserted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(2)(d)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)
- F5** Sch. 4 para. 1(1)(b)(iv)(v) inserted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(2)(e)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)
- F6** Sch. 4 para. 1(2A)-(2D) inserted (31.12.2020) by United Kingdom Internal Market Act 2020 (c. 27), s. 59(3), **Sch. 3 para. 2(3)** (with s. 55(2)); S.I. 2020/1621, reg. 2(r)

Commencement Information

- I1** Sch. 4 para. 1 in force at 1.10.2013 by S.I. 2013/2227, **art. 2(j)** (with art. 3)

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