

SCHEDULES

SCHEDULE 6

REGULATORY APPEALS ETC: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS TO OTHER ENACTMENTS

Electricity (Northern Ireland) Order 1992 (SI 1992/231 (N.I. 1))

- 149 The Electricity (Northern Ireland) Order 1992 is amended as follows.
- 150 In article 2 (interpretation), in paragraph (2), before the definition of “the Department” insert—
- ““the CMA” means the Competition and Markets Authority;”.
- 151 (1) Article 15 (modification references) is amended as follows.
- (2) In paragraph (1)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (3) In paragraph (2)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (4) In paragraph (3), for “Competition Commission” substitute “CMA”.
- (5) In paragraph (5)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (6) In paragraph (6)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
- (7) In paragraph (7), for “Competition Commission” substitute “CMA”.
- (8) After paragraph (7) insert—
- “(7A) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 15B and 17A).”

Status: This is the original version (as it was originally enacted).

- (9) In paragraph (9), for the words from “members” to the end substitute “persons to membership of the CMA for the purpose of being available for selection as members of a group constituted to carry out functions on behalf of the CMA with respect to a reference under this Article”.
- (10) In paragraph (9A), for “selecting” substitute “constituting”.
- (11) In the heading, for “Monopolies Commission” substitute “CMA”.
- 152 In article 15A (references under article 15: time limits), in paragraphs (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 153 (1) Article 16 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
- (3) In paragraph (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In paragraphs (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 154 In article 17 (modification following report), in paragraphs (1) and (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 155 (1) Article 17A (power to veto modifications following report) is amended as follows.
- (2) In paragraph (1), for the words from the beginning to “Commission”)” substitute “The CMA”.
- (3) In paragraphs (2) to (8), (10) to (12), (14) and (16), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission’s” substitute “CMA’s”.
- 156 In article 18 (modification by order under other statutory provisions), in paragraph (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.
- 157 (1) Article 53 (annual and other reports) is amended as follows.
- (2) In paragraph (1)(a)(ii), for “Competition Commission” substitute “CMA’s”.
- (3) Omit paragraph (6).

Gas (Northern Ireland) Order 1996 (SI 1996/275 (N.I.2))

- 158 The Gas (Northern Ireland) Order 1996 is amended as follows.
- 159 In article 2 (interpretation), in paragraph (2), before the definition of “construction” insert—
- ““the CMA” means the Competition and Markets Authority;”.
- 160 (1) Article 15 (modification references) is amended as follows.
- (2) In paragraph (1)—

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- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (3) In paragraph (2)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (4) In paragraph (3)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (5) In paragraph (4), for “Competition Commission” substitute “CMA”.
- (6) In paragraph (6)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (7) In paragraph (7)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
- (8) In paragraph (8), for “Competition Commission” substitute “CMA”.
- (9) After paragraph (8) insert—
- “(8A) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 15B and 17A).”
- (10) In the heading, for “Monopolies Commission” substitute “Competition and Markets Authority”.
- 161 In article 15A (references under article 15: time limits), in paragraphs (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 162 (1) Article 16 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
 - (3) In paragraph (1A)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
 - (4) In paragraphs (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 163 In article 17 (modification following report), in paragraphs (1) and (5A), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- 164 (1) Article 17A (power to veto modifications following report) is amended as follows.

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- (2) In paragraph (1), for the words from the beginning to “Commission”)” substitute “The CMA”.
- (3) In paragraphs (2) to (10), (13) to (15), (17) and (19), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission’s” substitute “CMA’s”.
- 165 In article 18 (modification by order under other statutory provisions), in paragraph (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.
- 166 (1) Article 32 (annual and other reports) is amended as follows.
 - (2) In paragraph (1)(a)(ii), for “Monopolies Commission’s” substitute “CMA’s”.
 - (3) Omit paragraph (6).

Energy (Northern Ireland) Order 2003 (SI 2003/419 (N.I. 6))

- 167 The Energy (Northern Ireland) Order 2003 is amended as follows.
- 168 (1) Article 6 (annual and other reports of the Authority) is amended as follows.
 - (2) In paragraph (1)(b), for “Competition Commission” substitute “Competition and Markets Authority”.
 - (3) Omit paragraph (10).
- 169 In article 38 (modification of licences), in paragraphs (1) and (2), for “, the Office of Fair Trading or the Competition Commission” (in each place where those words occur) substitute “or the Competition and Markets Authority”.
- 170 (1) Schedule 2 (orders altering licensable activities) is amended as follows.
 - (2) In paragraph 1, after sub-paragraph (3), insert—
 - “(4) In this Schedule, “the CMA” means the Competition and Markets Authority.”
 - (3) In paragraph 2—
 - (a) in sub-paragraph (4), for “Competition Commission” substitute “CMA”, and
 - (b) in sub-paragraphs (5) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In the italic cross-heading preceding paragraph 3, for “Competition Commission” substitute “CMA”.
 - (5) In paragraph 3—
 - (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “CMA”, and
 - (ii) for “the Commission” substitute “the CMA”,
 - (b) in sub-paragraphs (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “CMA”, and
 - (c) after sub-paragraph (6), insert—

Status: This is the original version (as it was originally enacted).

“(7) The functions of the CMA with respect to a reference under this paragraph (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 5) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

- (6) In paragraph 4—
- (a) in sub-paragraph (2), for “Competition Commission” substitute “CMA”, and
 - (b) in sub-paragraph (3), for “Commission” substitute “CMA”.
- (7) In paragraph 5, in sub-paragraph (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “for the words “, OFCOM or the Secretary of State” there were substituted “or OFCOM”.
- (8) In paragraph 6—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “CMA”,
 - (b) in sub-paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (c) in sub-paragraph (4)—
 - (i) for “Commission” substitute “CMA”, and
 - (ii) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”, and
 - (d) in sub-paragraphs (5) to (9) and (11), for “Commission” (in each place where it occurs) substitute “CMA”.

Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (SI 2005/3172)

171 The Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 is amended as follows.

172 In article 2 (interpretation), in paragraph (1), for the definition of “the Commission” substitute—

““the CMA” means the Competition and Markets Authority;”.

173 (1) Article 3 (references) is amended as follows.

(2) In paragraphs (1), (5) to (9), and (11) and (12), for “Commission” substitute “CMA”.

(3) After paragraph (12) insert—

“(13) The functions of the CMA with respect to a reference under this article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by articles 5 and 10).”

(4) In the heading, for “Commission” substitute “CMA”.

Status: This is the original version (as it was originally enacted).

- 174 In article 4 (references: time limits), in paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- 175 In article 5 (references: powers of investigation), in paragraph (4)(a), for paragraph (i) substitute—
 “(i) the words “, OFCOM or the Secretary of State” were omitted;”.
- 176 (1) Article 6 (consultation on proposals) is amended as follows.
- (2) In paragraphs (1) to (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission” substitute “CMA”.
- 177 (1) Article 7 (reports on references) is amended as follows.
- (2) In paragraphs (1) to (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In paragraph (6)—
- (a) for “Commission” substitute “CMA”, and
- (b) for the words from “constituted,” to the end substitute “constituted by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In paragraphs (7) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph (10), for “Commission’s” substitute “CMA’s”.
- (6) In paragraph (12), for “Commission” substitute “CMA”.
- 178 (1) Article 8 (modifications following report) is amended as follows.
- (2) In paragraph (1), for “Commission” substitute “CMA”.
- (3) In paragraph (2)—
- (a) for “Commission” substitute “CMA”, and
- (b) for “Commission’s” substitute “CMA’s”.
- (4) In paragraph (3), for “Commission’s” substitute “CMA’s”.
- (5) In paragraph (6), for “Commission” substitute “CMA”.
- 179 (1) Article 9 (power of veto following report) is amended as follows.
- (2) In paragraphs (1) to (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In paragraph (4)—
- (a) for “Commission” (in each place where it occurs) substitute “CMA”, and
- (b) for “Commission’s” (in each place where it occurs) substitute “CMA’s”.
- (4) In paragraphs (5) to (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In the heading, for “Commission’s” substitute “CMA’s”.
- 180 (1) Article 10 (article 9: supplementary) is amended as follows.

Status: This is the original version (as it was originally enacted).

(2) In paragraphs (2), (3) and (5), for “Commission” (in each place where it occurs) substitute “CMA”.

(3) In paragraph (6)(a), for paragraph (i) substitute—
“(i) the words “, OFCOM or the Secretary of State” were omitted;”.

Water and Sewerage Services (Northern Ireland) Order 2006 (SI 2006/3336 N.I. 21))

181 The Water and Sewerage Services (Northern Ireland) Order 2006 is amended as follows.

182 In article 2 (interpretation), in paragraph (2)—
(a) after the definition of “the Authority”, insert—
““the CMA” means the Competition and Markets Authority;”, and
(b) omit the definition of “the OFT”.

183 (1) Article 19 (determinations under conditions of appointment) is amended as follows.

(2) In paragraph (2)—
(a) for “Competition Commission” substitute “CMA”, and
(b) for “the Commission” substitute “the CMA”.

(3) In paragraph (3)—
(a) for “Competition Commission” substitute “CMA”, and
(b) for “that Commission” (in each place where it occurs) substitute “the CMA”.

(4) In paragraph (4)—
(a) for “Competition Commission” substitute “CMA”, and
(b) for “the Commission” (in each place where it occurs) substitute “the CMA”.

(5) In paragraph (5), for “Competition Commission” substitute “CMA”.

(6) In paragraph (6)—
(a) for “Competition Commission” substitute “CMA”, and
(b) for “the Commission” substitute “the CMA”.

(7) After paragraph (6) insert—

“(7) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act, as applied by paragraph (5) read with Article 27).”

184 (1) Article 21 (modification references) is amended as follows.

(2) In paragraph (1)—
(a) for “Competition Commission” substitute “CMA”, and
(b) for “the Commission” substitute “the CMA”.

(3) In paragraph (2)—

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- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” substitute “the CMA”.
- (4) In paragraph (3), for “Competition Commission” substitute “CMA”.
- (5) In paragraph (5)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “the CMA”.
- (6) In paragraph (6), for “Competition Commission” substitute “CMA”.
- (7) After paragraph (6) insert—
- “(7) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 23 and 27).”
- (8) In the heading, for “Competition Commission” substitute “CMA”.
- 185 In article 22 (references under article 21: time limits), in paragraphs (2) and (3), for
“Competition Commission” (in each place where it occurs) substitute “CMA”.
- 186 (1) Article 24 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
 - (3) In paragraph (2)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference in question”. - (4) In paragraphs (3) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (5) In paragraphs (6) and (7), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (6) In paragraph (9), for “Competition Commission” substitute “CMA”.
- 187 In article 25 (modifications following report), in paragraphs (1) and (5), for
“Competition Commission” substitute “CMA”.
- 188 (1) Article 26 (power of veto following report) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
 - (3) In paragraphs (2) to (9), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In the heading, for “Commission’s” substitute “CMA’s”.
- 189 (1) Article 27 (power of veto following report: supplementary) is amended as follows.
- (2) In paragraph (2), for “Competition Commission” substitute “CMA”.

Status: This is the original version (as it was originally enacted).

- (3) In paragraphs (3), (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Commission’s” substitute “CMA’s”.
- 190 In article 28 (modification by order under other statutory provisions), in paragraph (1)
 - (a) for “OFT, the Competition Commission” substitute “CMA”, and
 - (b) for “OFT, the Commission” substitute “CMA”.
- 191 In article 57 (restrictions on disclosure of information), in sub-paragraph (7), for “Competition Commission” substitute “CMA”.

Legal Services (Scotland) Act 2010 (asp 16)

- 192 The Legal Services (Scotland) Act 2010 is amended as follows.
- 193 In section 8 (pre-approval consideration), in subsection (1)(b), for “OFT” substitute “CMA”.
- 194 In section 15 (initial considerations), in subsections (1) and (2), for “OFT” (in each place where it occurs) substitute “CMA”.
- 195 In section 28 (communicating outside), in subsection (1)(e), for “OFT” substitute “CMA”.
- 196 In section 49 (majority ownership), in subsection (5)(b)(iii), for “OFT” substitute “CMA”.
- 197 (1) Section 76 (input) is amended as follows.
 - (2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (3) In the heading, for “OFT” substitute “CMA”.
- 198 In section 92 (certification of bodies), in subsections (4) and (5), for “OFT” (in each place where it occurs) substitute “CMA”.
- 199 In section 103 (certification of bodies), in subsections (4) and (5), for “OFT” (in each place where it occurs) substitute “CMA”.
- 200 (1) Section 113 (regard to input) is amended as follows.
 - (2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (3) In the heading, for “OFT” substitute “CMA”.
- 201 In section 122 (particular rules), in subsection (2), for “OFT” substitute “CMA”.
- 202 In section 125 (citizens advice bodies), in subsection (4)(b), for “OFT” substitute “CMA”.
- 203 In section 147 (further modification), in subsection (3)(d), for “OFT” substitute “CMA”.
- 204 (1) In section 149 (definitions), in subsection (1)—
 - (a) after the definition of “the 2007 Act” insert—
 - ““CMA” means Competition and Markets Authority,” and
 - (b) omit the definition of “OFT”.

Status: This is the original version (as it was originally enacted).

- 205 In schedule 2 (directions), in paragraph 4, in sub-paragraph (3), for “OFT” (in each place where it occurs) substitute “CMA”.
- 206 In schedule 5 (amendment of authorisation), in paragraph 4, in sub-paragraph (2)(b)(i), for “OFT” substitute “CMA”.
- 207 In schedule 6 (rescission of authorisation), in paragraph 4, in sub-paragraph (2)(b)(i), for “OFT” substitute “CMA”.
- 208 In schedule 7 (surrender of authorisation), in paragraph 3, in sub-paragraph (1)(a)(ii), for “OFT” substitute “CMA”.
- 209 In schedule 9 (index of expressions used), in the first table, in the column headed “Whole Act expressions”—
- (a) after the reference to “advocate”, insert a reference to “CMA”;
 - (b) omit the reference to “OFT”.