

SCHEDULES

SCHEDULE 10

REGULATORS

PART V

MINOR AND CONSEQUENTIAL AMENDMENTS: NORTHERN IRELAND

The Gas (Northern Ireland) Order 1996

- 18 (1) The Gas (Northern Ireland) Order 1996 is amended as follows.
- (2) In Article 15 (modification references to the Competition Commission), for paragraph (9) substitute—
- “(9) The provisions mentioned in paragraph (9A) are to apply in relation to references under this Article as if—
- (a) the functions of the Competition Commission in relation to those references were functions under the 1973 Act;
 - (b) “merger reference” included a reference under this Article;
 - (c) in section 70 of the 1973 Act—
 - (i) references to the Secretary of State were references to the Director, and
 - (ii) the reference to three months were a reference to six months.
- (9A) The provisions are—
- (a) sections 70 (time limit for report on merger) and 85 (attendance of witnesses and production of documents) of the 1973 Act;
 - (b) Part II of Schedule 7 to the Competition Act 1998 (performance of the Competition Commission’s general functions); and
 - (c) section 24 of the 1980 Act (modification of provisions about performance of such functions).”
- (3) In Article 16, omit paragraph (2) (which falls with the repeal of the Restrictive Trade Practices Act 1976).
- (4) In Article 18 (modification by order under other statutory provisions)—
- (a) in paragraph (1), omit sub-paragraph (b) and the “or” immediately before it;
 - (b) in paragraph (3)—
 - (i) after sub-paragraph (a), insert “or”;
 - (ii) omit sub-paragraph (c) and the “or” immediately before it;
 - (c) in paragraph (5), omit “or the 1980 Act”.
- (5) In Article 19 (orders for securing compliance), in paragraph (5), after sub-paragraph (b), omit “or” and after sub-paragraph (c), insert “or

Status: This is the original version (as it was originally enacted).

- (d) that the most appropriate way of proceeding is under the Competition Act 1998.”
- (6) In Article 44(4) (general restrictions on disclosure of information)—
 - (a) omit sub-paragraphs (f) and (g) (which refer to the Restrictive Trade Practices Act 1976 and the Resale Prices Act 1976);
 - (b) after sub-paragraph (u), add—
 - “(v) the Competition Act 1998”.
- (7) At the end of Article 44, insert—
 - “(8) Information obtained by the Director in the exercise of functions which are exercisable concurrently with the Director General of Fair Trading under Part I of the Competition Act 1998 is subject to sections 55 and 56 of that Act (disclosure) and not to paragraphs (1) to (7).”