



Competition Act 1998

1998 CHAPTER 41

PART I

COMPETITION

CHAPTER III

INVESTIGATION AND ENFORCEMENT

Enforcement

35 Interim measures

- (1) This section applies if the Director—
 - (a) has a reasonable suspicion that the Chapter I prohibition has been infringed, or
 - (b) has a reasonable suspicion that the Chapter II prohibition has been infringed, but has not completed his investigation into the matter.
- (2) If the Director considers that it is necessary for him to act under this section as a matter of urgency for the purpose—
 - (a) of preventing serious, irreparable damage to a particular person or category of person, or
 - (b) of protecting the public interest,he may give such directions as he considers appropriate for that purpose.
- (3) Before giving a direction under this section, the Director must—
 - (a) give written notice to the person (or persons) to whom he proposes to give the direction; and
 - (b) give that person (or each of them) an opportunity to make representations.
- (4) A notice under subsection (3) must indicate the nature of the direction which the Director is proposing to give and his reasons for wishing to give it.

Status: This is the original version (as it was originally enacted).

- (5) A direction given under this section has effect while subsection (1) applies, but may be replaced if the circumstances permit by a direction under section 32 or (as appropriate) section 33.
- (6) In the case of a suspected infringement of the Chapter I prohibition, sections 32(3) and 34 also apply to directions given under this section.
- (7) In the case of a suspected infringement of the Chapter II prohibition, sections 33(3) and 34 also apply to directions given under this section.