



# Competition Act 1998

## 1998 CHAPTER 41

### PART I

#### COMPETITION

#### CHAPTER V

#### MISCELLANEOUS

#### *Interpretation and governing principles*

#### **59 Interpretation**

(1) In this Part—

“appeal tribunal” means an appeal tribunal established in accordance with the provisions of Part III of Schedule 7 for the purpose of hearing an appeal under section 46 or 47;

“Article 85” means Article 85 of the Treaty;

“Article 86” means Article 86 of the Treaty;

“block exemption” has the meaning given in section 6(4);

“block exemption order” has the meaning given in section 6(2);

“the Chapter I prohibition” has the meaning given in section 2(8);

“the Chapter II prohibition” has the meaning given in section 18(4);

“the Commission” (except in relation to the Competition Commission) means the European Commission;

“the Council” means the Council of the European Union;

“the court”, except in sections 58 and 60 and the expression “European Court”, means—

(a) in England and Wales, the High Court;

(b) in Scotland, the Court of Session; and

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*Status: This is the original version (as it was originally enacted).*

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- (c) in Northern Ireland, the High Court;
  - “the Director” means the Director General of Fair Trading;
  - “document” includes information recorded in any form;
  - “the EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as it has effect for the time being;
  - “the European Court” means the Court of Justice of the European Communities and includes the Court of First Instance;
  - “individual exemption” has the meaning given in section 4(2);
  - “information” includes estimates and forecasts;
  - “investigating officer” has the meaning given in section 27(1);
  - “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
  - “officer”, in relation to a body corporate, includes a director, manager or secretary and, in relation to a partnership in Scotland, includes a partner;
  - “parallel exemption” has the meaning given in section 10(3);
  - “person”, in addition to the meaning given by the Interpretation Act 1978, includes any undertaking;
  - “premises” does not include domestic premises unless—
    - (a) they are also used in connection with the affairs of an undertaking, or
    - (b) documents relating to the affairs of an undertaking are kept there,
 but does include any vehicle;
  - “prescribed” means prescribed by regulations made by the Secretary of State;
  - “regulator” has the meaning given by section 54;
  - “section 11 exemption” has the meaning given in section 11(3); and
  - “the Treaty” means the treaty establishing the European Community.
- (2) The fact that to a limited extent the Chapter I prohibition does not apply to an agreement, because of an exclusion provided by or under this Part or any other enactment, does not require those provisions of the agreement to which the exclusion relates to be disregarded when considering whether the agreement infringes the prohibition for other reasons.
- (3) For the purposes of this Part, the power to require information, in relation to information recorded otherwise than in a legible form, includes power to require a copy of it in a legible form.
- (4) Any power conferred on the Director by this Part to require information includes power to require any document which he believes may contain that information.