

*These notes refer to the Enterprise Act 2002 (c.40)  
which received Royal Assent on 7 November 2002*

# ENTERPRISE ACT 2002

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3: Mergers**

#### **Summary and Background**

#### *Chapter 5: Supplementary*

#### **Information and publicity requirements**

#### *Section 105: General information duties of OFT and Commission*

264. This section sets out the general duties of the OFT in relation to merger cases.
265. *Subsections (1) and (2)* ensure that the OFT will act, if practicable, to bring cases that it is investigating to the attention of those that might be affected by the transaction. This duty does not apply to merger notice cases, which carry their own publicity requirements (see note on section 99).
266. *Subsections (3) and (4)* provide that the OFT will give relevant information to the CC.
267. *Subsections (5) and (6)* ensure that the OFT and the CC will give information and assistance to the Secretary of State to enable her to carry out her functions in relation to cases that may raise public interest considerations.