



# Enterprise Act 2002

## 2002 CHAPTER 40

### PART 3

#### MERGERS

### CHAPTER 4

#### ENFORCEMENT

##### *Undertakings and orders: general provisions*

#### **86 Enforcement orders: general provisions**

- (1) An enforcement order may extend to a person's conduct outside the United Kingdom if (and only if) he is—
- (a) a United Kingdom national;
  - (b) a body incorporated under the law of the United Kingdom or of any part of the United Kingdom; or
  - (c) a person carrying on business in the United Kingdom.
- (2) Nothing in an enforcement order shall have effect so as to—
- (a) cancel or modify conditions in licences granted—
    - (i) under a patent granted under the Patents Act 1977 (c. 37) or a European patent (UK) (within the meaning of the Act of 1977); or
    - (ii) in respect of a design registered under the Registered Designs Act 1949 (c. 88);by the proprietor of the patent or design; or
  - (b) require an entry to be made in the register of patents or the register of designs to the effect that licences under such a patent or such a design are to be available as of right.

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- (3) An enforcement order may prohibit the performance of an agreement already in existence when the order is made.
- (4) Schedule 8 (which provides for the contents of certain enforcement orders) shall have effect.
- (5) Part 1 of Schedule 9 (which enables certain enforcement orders to modify licence conditions etc. in regulated markets) shall have effect.
- (6) In this Part “enforcement order” means an order made under section 72, 75, 76, 81, 83 or 84 or under paragraph 2, 5, 6, 10 or 11 of Schedule 7.

#### Annotations:

##### Modifications etc. (not altering text)

- C1** S. 86 applied (with modifications) (20.6.2003) by [The Enterprise Act 2002 \(Protection of Legitimate Interests\) Order 2003 \(S.I. 2003/1592\)](#), art. 15, [Sch. 3 para. 1\(1\)\(b\)\(3\)](#)
- C2** S. 86(2) applied (20.6.2003) by 1980 c. 21, s. 11D(7) (as inserted by [Enterprise Act 2002 \(c. 40\)](#), ss. 278, 279, [Sch. 25 para. 10\(3\)](#)); S.I. 2003/1397, [art. 2\(1\)](#), Sch. (with art. 8)  
S. 86(2) applied (20.6.2003) by 1980 c. 21, s. 12(6) (as substituted by [Enterprise Act 2002 \(c. 40\)](#), ss. 278, 279, [Sch. 25 para. 10\(4\)](#)); S.I. 2003/1397, [art. 2\(1\)](#), Sch. (with art. 8)
- C3** S. 86(3) applied (20.6.2003) by 1980 c. 21, s. 11D(7) (as inserted by [Enterprise Act 2002 \(c. 40\)](#), ss. 278, 279, [Sch. 25 para. 10\(3\)](#)); S.I. 2003/1397, [art. 2\(1\)](#), Sch. (with art. 8)  
S. 86(3) applied (20.6.2003) by 1980 c. 21, s. 12(6) (as substituted by [Enterprise Act 2002 \(c. 40\)](#), ss. 278, 279, [Sch. 25 para. 10\(4\)](#)); S.I. 2003/1397, [art. 2\(1\)](#), Sch. (with art. 8)

## 87 Delegated power of directions

- (1) An enforcement order may authorise the person making the order to give directions falling within subsection (2) to—
  - (a) a person specified in the directions; or
  - (b) the holder for the time being of an office so specified in any body of persons corporate or unincorporate.
- (2) Directions fall within this subsection if they are directions—
  - (a) to take such action as may be specified or described in the directions for the purpose of carrying out, or ensuring compliance with, the enforcement order concerned; or
  - (b) to do, or refrain from doing, anything so specified or described which the person might be required by that order to do or refrain from doing.
- (3) An enforcement order may authorise the person making the order to vary or revoke any directions so given.
- (4) The court may by order require any person who has failed to comply with directions given by virtue of this section to comply with them, or otherwise remedy his failure, within such time as may be specified in the order.
- (5) Where the directions related to anything done in the management or administration of a body of persons corporate or unincorporate, the court may by order require the body of persons concerned or any officer of it to comply with the directions, or otherwise remedy the failure to comply with them, within such time as may be specified in the order.

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- (6) An order under subsection (4) or (5) shall be made on the application of the person authorised by virtue of this section to give the directions concerned.
- (7) An order under subsection (4) or (5) may provide for all the costs or expenses of, or incidental to, the application for the order to be met by any person in default or by any officers of a body of persons corporate or unincorporate who are responsible for its default.
- (8) In this section “the court” means—
- (a) in relation to England and Wales or Northern Ireland, the High Court; and
  - (b) in relation to Scotland, the Court of Session.

**Annotations:**

**Modifications etc. (not altering text)**

- C4** S. 87 applied (20.6.2003) by 1980 c. 21, s. 11D(7) (as inserted by Enterprise Act 2002 (c. 40), ss. 278, 279, **Sch. 25 para. 10(3)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)
- C5** S. 87 applied (20.6.2003) by 1980 c. 21, s. 12(6) (as substituted by Enterprise Act 2002 (c. 40), ss. 278, 279, **Sch. 25 para. 10(4)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)
- C6** S. 87 applied (with modifications) (20.6.2003) by The Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003 (S.I. 2003/1592), art. 15, **Sch. 3 para. 1(1)(c)**

**88 Contents of certain enforcement orders**

- (1) This section applies in relation to any order under section 75, 83 or 84 or under paragraph 5, 10 or 11 of Schedule 7.
- (2) The order or any explanatory material accompanying the order shall state—
- (a) the actions that the persons or description of persons to whom the order is addressed must do or (as the case may be) refrain from doing;
  - (b) the date on which the order comes into force;
  - (c) the possible consequences of not complying with the order; and
  - (d) the section of this Part under which a review can be sought in relation to the order.

**Annotations:**

**Modifications etc. (not altering text)**

- C7** S. 88 applied (20.6.2003) by 1980 c. 21, s. 12(6) (as substituted by Enterprise Act 2002 (c. 40), ss. 278, 279, **Sch. 25 para. 10(4)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)
- C8** S. 88 applied (with modifications) (20.6.2003) by The Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003 (S.I. 2003/1592), art. 15, **Sch. 3 para. 1(1)(d)(4)**

**89 Subject-matter of undertakings**

- (1) The provision which may be contained in an enforcement undertaking is not limited to the provision which is permitted by Schedule 8.
- (2) In this Part “enforcement undertaking” means an undertaking under section 71, 73, 80 or 82 or under paragraph 1, 3 or 9 of Schedule 7.

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#### Annotations:

#### Modifications etc. (not altering text)

- C9** S. 89 applied (with modifications) (20.6.2003) by [The Enterprise Act 2002 \(Protection of Legitimate Interests\) Order 2003 \(S.I. 2003/1592\)](#), art. 15, **Sch. 3 para. 1(1)(e)(5)**
- C10** Ss. 75(4)(a), 83(4)(a), 84(2)(a), 89(1), 160(4)(a), 161(3)(a), 164(1) and Sch. 7 paras. 5, 10, 11 modified (20.6.2003) by 1988 c. 48, s. 144(2) (as substituted by [Enterprise Act 2002 \(c. 40\)](#), ss. 278, 279, **Sch. 25 para. 18(2)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)
- C11** Ss. 75(4)(a), 83(4)(a), 84(2)(a), 89(1), 160(4)(a), 161(3)(a), 164(1) and Sch. 7 paras. 5, 10, 11 modified (20.6.2003) by 1988 c. 48, s. 238(2) (as substituted by [Enterprise Act 2002 \(c. 40\)](#) ss. 278, 279, {Sch. 25 para. 18(4)}); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)
- C12** Ss. 75(4)(a), 83(4)(a), 84(2)(a), 89(1), 160(4)(a), 161(3)(a), 164(1) and Sch. 7 paras. 5, 10, 11 modified (20.6.2003) by 1988 c. 48, Sch. 2A para. 17(2) (as substituted by [Enterprise Act 2002 \(c. 40\)](#), s. 278, **Sch. 25 para. 18(5)(a)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)

## 90 Procedural requirements for certain undertakings and orders

Schedule 10 (which provides for the procedure for accepting certain enforcement undertakings and making certain enforcement orders and for their termination) shall have effect.

#### Annotations:

#### Modifications etc. (not altering text)

- C13** S. 90 applied (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), ss. 406(6), 411(2)(3), **Sch. 18 para. 62(7)(a)** (with transitional provisions in Sch. 18); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to arts. 3(3), 11)

## 91 Register of undertakings and orders

- (1) The OFT shall compile and maintain a register for the purposes of this Part.
- (2) The register shall be kept in such form as the OFT considers appropriate.
- (3) The OFT shall ensure that the following matters are entered in the register—
  - (a) the provisions of any enforcement undertaking accepted under this Part;
  - (b) the provisions of any enforcement order made under this Part;
  - (c) the details of any variation, release or revocation of such an undertaking or order; and
  - (d) the details of any consent given by the Commission under section 77(2) or (3) or 78(2) or by the Secretary of State under paragraph 7(2) or (3) or 8(2) of Schedule 7.
- (4) The duty in subsection (3) does not extend to anything of which the OFT is unaware.
- (5) The Commission and the Secretary of State shall inform the OFT of any matters which are to be included in the register by virtue of subsection (3) and which relate to enforcement undertakings accepted by them, enforcement orders made by them or consents given by them.
- (6) The OFT shall ensure that the contents of the register are available to the public—

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- (a) during (as a minimum) such hours as may be specified in an order made by the Secretary of State; and
  - (b) subject to such reasonable fees (if any) as the OFT may determine.
- (7) If requested by any person to do so and subject to such reasonable fees (if any) as the OFT may determine, the OFT shall supply the person concerned with a copy (certified to be true) of the register or of an extract from it.

**Annotations:**

**Modifications etc. (not altering text)**

- C14** S. 91 applied (with modifications) (20.6.2003) by [The Enterprise Act 2002 \(Protection of Legitimate Interests\) Order 2003 \(S.I. 2003/1592\)](#), art. 15, **Sch. 3 para. 1(1)(f)(6)**
- C15** S. 91 applied (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), ss. 406(6), 411(2)(3), **Sch. 18 para. 62(7)(b)** (with transitional provisions in [Sch. 18](#)); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to arts. 3(3), 11)
- C16** Ss. 91(3), 92(1)(a), 162(1), 166(3) modified (20.6.2003) by [1977 c. 37, s. 50A\(7\)](#) (as inserted by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 8(2)**); S.I. 2003/1397, **art. 2(1)**, Sch. (with art. 8)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified in part by 2012 c. 19 s. 60(3)
- Blanket amendment words substituted by S.I. 2011/1043 art. 3 4
- Blanket amendment words substituted by S.I. 2011/1043 art. 3 6

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 7(1A)(1B) inserted by 2015 c. 26 s. 37(2)
- s. 7(3) inserted by 2015 c. 26 s. 37(3)
- s. 8A inserted by S.I. 2013/783 art. 3
- s. 8A word substituted by S.I. 2014/892 Sch. 1 para. 2
- s. 12(2)(aa)-(ac) inserted by 2015 c. 15 s. 82(1)
- s. 14(1A) inserted by 2015 c. 15 Sch. 8 para. 19(3)
- s. 22(3)(za) inserted by 2013 c. 24 Sch. 8 para. 2(a)
- s. 23(9)(ab) modified by S.I. 2003/1592, art. 5A(c) (as inserted) by S.I. 2014/891 art. 7
- s. 33(3)(za) inserted by 2013 c. 24 Sch. 8 para. 3(a)
- s. 34A heading word substituted by 2013 c. 24 Sch. 5 para. 73(5)
- s. 34A(1) word substituted by 2013 c. 24 Sch. 5 para. 73(2)
- s. 34A(2) word substituted by 2013 c. 24 Sch. 5 para. 73(3)(a)
- s. 34A(2)(a) words omitted by 2013 c. 24 Sch. 5 para. 73(3)(b)
- s. 34A(3) word substituted by 2013 c. 24 Sch. 5 para. 73(4)
- s. 34A(5) substituted by 2013 c. 24 Sch. 15 para. 19(2)
- s. 34A(6) (6A) substituted for s. 34A(6) by 2013 c. 24 Sch. 15 para. 19(3)
- s. 34A(7) omitted by 2013 c. 24 Sch. 15 para. 19(4)
- s. 34B omitted by 2013 c. 24 Sch. 15 para. 20
- s. 34C inserted by 2013 c. 24 Sch. 5 para. 74
- s. 34C modified by 2013 c. 24 Sch. 4 para. 47(2)
- s. 34ZA-34ZC and cross-heading inserted by 2013 c. 24 Sch. 8 para. 4
- s. 39(8A) (8B) inserted by 2013 c. 24 Sch. 8 para. 5(3)
- s. 41A 41B inserted by 2013 c. 24 Sch. 8 para. 6
- s. 46A(1) word substituted by 2013 c. 24 Sch. 5 para. 87(2)
- s. 46A(2)(a) words omitted by 2013 c. 24 Sch. 5 para. 87(3)
- s. 46B(1) substituted by 2013 c. 24 Sch. 15 para. 23(2)
- s. 46B(2) omitted by 2013 c. 24 Sch. 15 para. 23(3)
- s. 46B(3) (3A) substituted for s. 46B(3) by 2013 c. 24 Sch. 15 para. 23(4)
- s. 46B(4) omitted by 2013 c. 24 Sch. 15 para. 23(5)
- s. 46C omitted by 2013 c. 24 Sch. 15 para. 24
- s. 46D inserted by 2013 c. 24 Sch. 5 para. 88
- s. 46D modified by 2013 c. 24 Sch. 4 para. 47(2)
- s. 56(8)(b) and word inserted by 2013 c. 24 Sch. 5 para. 98(7)(d)
- s. 58(2D) inserted by S.I. 2008/2645 art. 2
- s. 62A inserted by 2013 c. 24 Sch. 5 para. 105
- s. 62A modified by 2013 c. 24 Sch. 4 para. 47(2)
- s. 72(3A) (3B) inserted by 2013 c. 24 s. 30(5)
- s. 72(3C) inserted by 2013 c. 24 s. 30(6)
- s. 72(8) words inserted by 2013 c. 24 s. 30(8)
- s. 73A 73B inserted by 2013 c. 24 Sch. 8 para. 7
- s. 80(2A) inserted by 2013 c. 24 Sch. 7 para. 2(3)
- s. 80(2B) inserted by 2013 c. 24 Sch. 7 para. 2(4)
- s. 81(2A) inserted by 2013 c. 24 Sch. 7 para. 3(3)
- s. 81(2B) inserted by 2013 c. 24 Sch. 7 para. 3(4)

- s. 94A 94B inserted by [2013 c. 24 s. 31\(1\)](#)
- s. 96(2)(aa) inserted by [2013 c. 24 Sch. 8 para. 8\(3\)](#)
- s. 96(2A) inserted by [2013 c. 24 Sch. 8 para. 8\(4\)](#)
- s. 107(1)(a) (aa) substituted for s. 107(1)(a) by [2013 c. 24 Sch. 15 para. 36\(2\)](#)
- s. 107(1)(i) and word inserted by [2013 c. 24 Sch. 15 para. 36\(7\)](#)
- s. 107(1)(ab)-(ah) inserted by [2013 c. 24 Sch. 15 para. 36\(3\)](#)
- s. 107(1)(ea)-(ec) inserted by [2013 c. 24 Sch. 15 para. 36\(5\)](#)
- s. 107(2)(ea) (eb) inserted by [2013 c. 24 Sch. 15 para. 36\(8\)](#)
- s. 107(3)(h)(i) omitted by [2013 c. 24 Sch. 15 para. 36\(9\)](#)
- s. 109-110A applied (with modifications) by [2007 c. 29, s. 60\(9\)](#) (as amended) by [S.I. 2014/892 Sch. 1 para. 177](#)
- s. 109(A1) inserted by [2013 c. 24 s. 29\(2\)](#)
- s. 109(A1) saving for the effect of [2013 c. 24, s. 29\(2\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 109(8A) inserted by [2013 c. 24 s. 29\(9\)](#)
- s. 109(8A) saving for the effect of [2013 c. 24, s. 29\(9\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 110A applied (with modifications) by [1980 c. 21, s. 11B\(1\)\(ba\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 36\(2\)\(b\)](#)
- s. 110A applied (with modifications) by [1980 c. 21, s. 11B\(2A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 36\(5\)](#)
- s. 110A 110B inserted by [2013 c. 24 s. 29\(11\)](#)
- s. 110A saving for the effect of [2013 c. 24, s. 29\(11\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 110B saving for the effect of [2013 c. 24, s. 29\(11\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 111(5)s. 111(6)(i) saving for the effect of [2013 c. 24, s. 29\(12\)\(a\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 111(5)s. 111(6)(ii) saving for the effect of [2013 c. 24, s. 29\(12\)\(b\)](#) by [S.I. 2014/549 Sch. 1 para. 6](#)
- s. 130A applied (with modifications) by [1986 c. 44, s. 36A\(2C\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 50\(5\)](#)
- s. 130A applied (with modifications) by [1989 c. 29, s. 43\(2C\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 65\(5\)](#)
- s. 130A applied (with modifications) by [1991 c. 56, s. 31\(4ZA\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 84\(6\)](#)
- s. 130A applied (with modifications) by [1993 c. 43, s. 67\(2C\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 105\(5\)](#)
- s. 130A applied (with modifications) by [2000 c. 38, s. 86\(5A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 154\(8\)](#)
- s. 130A applied (with modifications) by [2003 c. 21, s. 370\(3A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 161\(5\)](#)
- s. 130A applied (with modifications) by [2012 c. 19, s. 60\(4A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 197\(7\)](#)
- s. 130A applied (with modifications) by [2012 c. 7, s. 73\(3A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 189\(5\)](#)
- s. 130A applied (with modifications) by [S.I. 1992/231 \(N.I. 1\), art. 46\(2C\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 216\(5\)](#)
- s. 130A applied (with modifications) by [S.I. 1996/275 \(N.I. 2\), art. 23\(2C\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 221\(5\)](#)
- s. 130A applied (with modifications) by [S.I. 2006/3336 \(N.I. 21\), art. 29\(4A\)](#) (as inserted) by [S.I. 2014/892 Sch. 1 para. 253\(6\)](#)
- s. 130A and cross-heading inserted by [2013 c. 24 Sch. 12 para. 1](#)
- s. 130A modified by [2013 c. 33 s. 59\(6\)](#)
- s. 130A modified by [2000 c. 8, s. 234I\(6\)](#) (as inserted) by [2013 c. 33 Sch. 8 para. 3](#)
- s. 131(2A) inserted by [2013 c. 24 s. 33\(2\)](#)
- s. 131A-131C inserted by [2013 c. 24 Sch. 12 para. 2](#)
- s. 132(1)(b) and word inserted by [2013 c. 24 Sch. 12 para. 10\(2\)\(b\)](#)
- s. 132(3A) inserted by [2013 c. 24 s. 34\(2\)](#)
- s. 132(5)(c)(d) inserted by [2016 c. 11 s. 63\(b\)](#)

- s. 133(1)(d) and word inserted by 2013 c. 24 Sch. 9 para. 2(2)(c)
- s. 133A inserted by 2013 c. 24 Sch. 5 para. 166
- s. 134(1A) inserted by 2013 c. 24 Sch. 9 para. 3(3)
- s. 134(2A) inserted by 2013 c. 24 Sch. 9 para. 3(5)
- s. 136(7)(i) inserted by 2012 c. 7 s. 74(6)(a)
- s. 136(7)(j) inserted by 2013 c. 33 s. 67(3)(a)
- s. 136(7)(ea) inserted by 2013 c. 33 Sch. 8 para. 10(2)
- s. 136(10) inserted by 2013 c. 33 s. 67(3)(c)
- s. 137(2A)-(2C) inserted by 2013 c. 24 Sch. 12 para. 3(3)
- s. 138A 138B inserted by 2013 c. 24 Sch. 12 para. 5
- s. 139(A1)-(1B) substituted for s. 139(1) by 2013 c. 24 s. 35(3)
- s. 139(2A) inserted by 2013 c. 24 s. 35(5)
- s. 139(4)-(4B) substituted for s. 139(4) by 2013 c. 24 s. 35(6)
- s. 139(4C) inserted by 2013 c. 24 s. 35(7)
- s. 140(4A)-(4D) inserted by 2013 c. 24 Sch. 10 para. 5(4)
- s. 140(5)(za)-(zd) inserted by 2013 c. 24 Sch. 10 para. 5(5)(a)
- s. 140(6)(aa) inserted by 2013 c. 24 Sch. 10 para. 5(6)(c)
- s. 140(6)(za)-(zd) inserted by 2013 c. 24 Sch. 10 para. 5(6)(a)
- s. 140(6A) inserted by 2013 c. 24 Sch. 10 para. 5(7)
- s. 140A inserted by 2013 c. 24 s. 35(8)
- s. 140B inserted by 2013 c. 24 Sch. 10 para. 6
- s. 141(2A) inserted by 2013 c. 24 Sch. 9 para. 5(3)
- s. 141A 141B inserted by 2013 c. 24 s. 35(9)
- s. 142(2)(d) and word inserted by 2013 c. 24 Sch. 10 para. 8(3)(c)
- s. 142(2A) inserted by 2013 c. 24 Sch. 10 para. 8(4)
- s. 143(A1) inserted by 2013 c. 24 Sch. 10 para. 9(2)
- s. 143A inserted by 2013 c. 24 Sch. 10 para. 10
- s. 144(1A) inserted by 2013 c. 24 Sch. 10 para. 11(3)
- s. 144(1B) inserted by 2013 c. 24 Sch. 12 para. 6(3)
- s. 144(2)(b) inserted by 2013 c. 24 Sch. 12 para. 6(4)(c)
- s. 144(3)(b) and word inserted by 2013 c. 24 Sch. 12 para. 6(5)(c)
- s. 146A inserted by 2013 c. 24 Sch. 10 para. 14
- s. 147A inserted by 2013 c. 24 Sch. 10 para. 16
- s. 148A inserted by 2013 c. 24 Sch. 10 para. 18
- s. 150(A1) inserted by 2013 c. 24 Sch. 10 para. 20
- s. 156(A1) inserted by 2013 c. 24 Sch. 9 para. 8(2)
- s. 156(3) inserted by 2013 c. 24 Sch. 12 para. 12
- s. 157(2A) (2B) inserted by 2013 c. 24 s. 37(2)
- s. 157(2C) inserted by 2013 c. 24 s. 37(3)
- s. 158(2A) (2B) inserted by 2013 c. 24 s. 37(4)
- s. 158(2C) inserted by 2013 c. 24 s. 37(5)
- s. 160(1A) inserted by 2013 c. 24 Sch. 5 para. 191(3)
- s. 162(4)(ba)-(bd) inserted by 2013 c. 24 Sch. 5 para. 194(4)(b)
- s. 168(3)(o) inserted by 2011 c. 5 Sch. 12 para. 164(2)(b)
- s. 168(3)(p) inserted by 2012 c. 7 s. 74(7)(a)
- s. 168(3)(q) inserted by 2012 c. 19 Sch. 9 para. 14(2)(b)
- s. 168(4)(q) inserted by 2011 c. 5 Sch. 12 para. 164(3)(b)
- s. 168(4)(r) inserted by 2012 c. 7 s. 74(7)(b)
- s. 168(4)(s) inserted by 2012 c. 19 Sch. 9 para. 14(3)(b)
- s. 168(5)(ia) inserted by 2012 c. 7 s. 74(7)(c)
- s. 172(1)(aa) inserted by 2013 c. 24 Sch. 12 para. 14(2)
- s. 172(2)(ba) inserted by 2013 c. 24 Sch. 12 para. 14(3)(b)
- s. 172(2)(za) (zb) inserted by 2013 c. 24 Sch. 12 para. 14(3)(a)
- s. 172(3)(da) (db) inserted by 2013 c. 24 Sch. 10 para. 30(4)(a)
- s. 172(7A) inserted by 2013 c. 24 Sch. 12 para. 14(4)
- s. 172(7A) words inserted by 2013 c. 24 Sch. 10 para. 30(6)
- s. 174(6A) inserted by 2013 c. 24 s. 36(4)
- s. 174(9A) inserted by 2013 c. 24 s. 36(6)



- s. 174A-174E inserted by 2013 c. 24 Sch. 11 para. 1
- s. 174B modified by 2000 c. 8, s. 140D(2) (as inserted) by S.I. 2014/892 Sch. 1 para. 124(4)
- s. 174B modified by 2007 c. 29, s. 57(5A) (as inserted) by S.I. 2014/892 Sch. 1 para. 176(3)
- s. 179(2)(za) inserted by 2013 c. 24 Sch. 12 para. 15
- s. 183(3)(b) (via) inserted by 2013 c. 24 Sch. 10 para. 32(3)(h)
- s. 183(3)(b) (viiia) inserted by 2013 c. 24 Sch. 10 para. 32(3)(j)
- s. 183(3)(b)(ix) and word inserted by 2013 c. 24 Sch. 10 para. 32(3)(k)
- s. 188(8) inserted by 2013 c. 24 s. 47(4)
- s. 188A inserted by 2013 c. 24 s. 47(5)
- s. 188B inserted by 2013 c. 24 s. 47(6)
- s. 190A inserted by 2013 c. 24 s. 47(7)
- s. 194(1A) inserted by 2013 c. 24 s. 48(3)
- s. 194(4A) inserted by 2013 c. 24 s. 48(4)
- s. 211(1A) inserted by 2015 c. 15 Sch. 7 para. 3(3)
- s. 213(5A)(j) inserted by S.I. 2011/1208 reg. 16(a)
- s. 214(1)(1A) substituted for s. 214(1) by S.I. 2013/783 art. 9(2)
- s. 214(4A)(4B) inserted by 2015 c. 15 Sch. 7 para. 5(3)
- s. 215(5)(za) inserted by 2013 c. 22 Sch. 9 para. 81(c)
- s. 217(10A)-(10D) inserted by 2015 c. 15 Sch. 7 para. 6
- s. 218A inserted by S.I. 2008/1277 reg. 27
- s. 219(5ZA)(5ZB) inserted by 2015 c. 15 Sch. 7 para. 7
- s. 219A-219C inserted by 2015 c. 15 Sch. 7 para. 8
- s. 220(1A) inserted by 2015 c. 15 Sch. 7 para. 9(2)
- s. 220(5)(e) inserted by 2015 c. 15 Sch. 7 para. 9(4)(c)
- s. 223A inserted by 2015 c. 15 Sch. 6 para. 78
- s. 229(1A) inserted by 2015 c. 15 Sch. 7 para. 10
- s. 241(2A) inserted by 2013 c. 24 s. 55
- s. 255(3)(b) words substituted by S.I. 2012/700 Sch. para. 6
- s. 268(9)(a)(aa) substituted for s. 268(9)(a) by S.I. 2016/481 Sch. 1 para. 16
- Sch. 4 para. 9(1) Sch. 4 para. 9 renumbered as, Sch. 4 para. 9(1) by 2015 c. 15 Sch. 8 para. 28(a)
- Sch. 4 para. 10A inserted by 2013 c. 24 s. 48(5)
- Sch. 4 para. 1A and cross-heading inserted by 2015 c. 15 Sch. 8 para. 24
- Sch. 4 para. 9(2) inserted by 2015 c. 15 Sch. 8 para. 28(b)
- Sch. 4 para. 15A-15C inserted by 2015 c. 15 Sch. 8 para. 31
- Sch. 4 para. 17(1)(ha) inserted by 2015 c. 15 Sch. 8 para. 32(a)
- Sch. 4 para. 17(2A) inserted by 2015 c. 15 Sch. 8 para. 32(c)
- Sch. 4 para. 20A and cross-heading inserted by 2015 c. 15 Sch. 8 para. 33
- Sch. 4 para. 21A and cross-heading inserted by 2015 c. 15 Sch. 8 para. 34
- Sch. 4 para. 1(a)(aa) substituted for Sch. 4 para. 1(a) by 2015 c. 15 Sch. 8 para. 23
- Sch. 7 para. 2(2A) (2B) inserted by 2013 c. 24 Sch. 7 para. 4(3)
- Sch. 7 para. 2(2C) inserted by 2013 c. 24 Sch. 7 para. 4(4)
- Sch. 7 para. 2(12) inserted by 2013 c. 24 Sch. 7 para. 4(8)
- Sch. 8 para. 17(1)(d) (e) inserted by 2013 c. 24 s. 50(4)(b)
- Sch. 8 para. 17(1A) inserted by 2013 c. 24 s. 50(5)
- Sch. 8 para. 20C and cross-heading inserted by 2013 c. 24 s. 49
- Sch. 8 para. 20B and cross-heading inserted by S.I. 2008/2645 art. 4
- Sch. 13 para. 9C inserted by S.I. 2008/1277 reg. 26
- Sch. 13 para. 9D inserted by S.I. 2009/2999 reg. 48
- Sch. 13 para. 9D inserted by S.I. 2010/1010 reg. 46(b)
- Sch. 13 para. 9E inserted by S.I. 2010/2960 Sch. 6 para. 3(2)(b)
- Sch. 13 para. 12 inserted by S.I. 2011/1208 reg. 16(b)
- Sch. 13 para. 9F inserted by S.I. 2014/2908 art. 3
- Sch. 13 Pt. 2 para. 14 inserted by S.I. 2015/1392 reg. 6(b)
- Sch. 13 para. 15 inserted by S.I. 2015/1911 reg. 18(2)
- Sch. 13 para. 13 inserted by S.I. 2015/542 reg. 20(1)

- Sch. 24 para. 15(2A) inserted by S.I. 2014/892 Sch. 1 para. 18(3)(a)
- Sch. 24 para. 17(6) inserted by S.I. 2014/892 Sch. 1 para. 18(5)(f)
- Sch. 24 para. 18(1A) inserted by S.I. 2014/892 Sch. 1 para. 18(6)(a)

**Commencement Orders yet to be applied to the Enterprise Act 2002**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2003/2681 art. 2 commences (2003 c. 20)
- S.I. 2008/831 art. 3 commences (2006 c. 14)
- S.I. 2008/1653 art. 2 commences (2007 c. 15)
- S.I. 2008/1886 art. 2 commences (2006 c. 46)
- S.I. 2008/2550 art. 2 Sch. commences (2007 c. 17)
- S.I. 2008/2696 art. 2 5 6 commences (2007 c. 15)
- S.I. 2008/2860 art. 3 4 Sch. 1 commences (2006 c. 46)
- S.I. 2009/107 art. 2-5 Sch. 1-5 Commencement Order
- S.I. 2009/1604 art. 2 commences (2005 c. 4)
- S.I. 2009/3250 art. 2 commences (2007 c. 29)
- S.I. 2009/3294 art. 2 commences (2008 c. 26)
- S.I. 2010/2169 art. 4 Sch. commences (2010 c. 29)
- S.I. 2011/2329 art. 2 3 commences (2011 c. 5)