



Enterprise Act 2002

2002 CHAPTER 40

PART 3

MERGERS

CHAPTER 5

SUPPLEMENTARY

Information and publicity requirements

106 Advice and information about references under [F1 section 22, 33, 68B or 68C]

- (1) ^{F2}... [^{F3}The CMA] shall prepare and publish general advice and information about [^{F4}—
 - (a) the making and consideration by it of references under section 22 [^{F5}, 33, 68B or 68C], and
 - (b) the way in which relevant customer benefits may affect the taking of enforcement action in relation to such references.]
- (2) The [^{F6}CMA] may at any time publish revised, or new, advice or information.
- ^{F7}(3)
- ^{F7}(4)
- (5) Advice and information published under this section shall be prepared with a view to—
 - (a) explaining relevant provisions of this Part to persons who are likely to be affected by them; and
 - (b) indicating how the [^{F8}CMA] or (as the case may be) the Commission expects such provisions to operate.

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Section 106. (See end of Document for details)

- (6) Advice (or information) published by virtue of subsection (1) ^{F9}... may include advice (or information) about the factors which the [^{F10}CMA] may take into account in considering whether, and if so how, to exercise a function conferred by this Part.
- (7) Any advice or information published by the [^{F11}CMA] under this section shall be published in such manner as the [^{F12}CMA] considers appropriate.
- (8) In preparing any advice or information under this section, the [^{F13}CMA shall consult such persons] as it considers appropriate.
- ^{F14}(9)

Textual Amendments

- F1** Words in s. 106 heading substituted (26.10.2023) by Energy Act 2023 (c. 52), s. 334(2)(j), **Sch. 16 para. 25(2)**
- F2** Words in s. 106(1) omitted (1.4.2014) by virtue of Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(2)(a)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F3** Words in s. 106(1) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(2)(b)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F4** Words in s. 106(1) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(2)(c)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F5** Words in s. 106(1)(a) substituted (26.10.2023) by Energy Act 2023 (c. 52), s. 334(2)(j), **Sch. 16 para. 25(3)**
- F6** Word in s. 106(2) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(3)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F7** S. 106(3)(4) omitted (1.4.2014) by virtue of Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(4)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F8** Word in s. 106(5)(b) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(5)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F9** Word in s. 106(6) omitted (1.4.2014) by virtue of Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(6)(a)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F10** Word in s. 106(6) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(6)(b)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F11** Word in s. 106(7) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(7)(a)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F12** Word in s. 106(7) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(7)(b)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F13** Words in s. 106(8) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(8)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F14** S. 106(9) omitted (1.4.2014) by virtue of Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 5 para. 138(9)** (with s. 28); S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002, Section 106.