



Enterprise Act 2002

2002 CHAPTER 40

PART 7

MISCELLANEOUS COMPETITION PROVISIONS

Miscellaneous

206 Power to modify Schedule 8

- (1) The Secretary of State may by order made by statutory instrument modify Schedule 8.
- (2) An order under this section may make—
 - (a) different provision for different cases or different purposes;
 - (b) such incidental, supplementary, consequential, transitory, transitional or saving provision as the Secretary of State considers appropriate.
- (3) An order under this section may, in particular, modify that Schedule in its application by virtue of Part 3 of this Act, in its application by virtue of Part 4 of this Act, in its application by virtue of any other enactment (whether by virtue of Part 4 of this Act as applied by that enactment or otherwise) or in its application by virtue of every enactment that applies it.
- (4) An order under this section as extended by subsection (2) may modify any enactment comprised in or made under this Act, or any other enactment.
- (5) No order shall be made under this section unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.
- (6) No modification of Schedule 8 in its application by virtue of Part 3 of this Act shall be made by an order under this section if the modification relates to a relevant merger situation or (as the case may be) a special merger situation which has been created before the coming into force of the order.

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Section 206. (See end of Document for details)

- (7) No modification shall be made by an order under this section of Schedule 8 in its application in relation to references made under section 22, 33, 45 or 62 before the coming into force of the order.
- (8) No modification shall be made by an order under this section of Schedule 8 in its application in relation to references made under section 131 or 132 before the coming into force of the order (including references made under section 131 as applied by another enactment).
- (9) Before making an order under this section, the Secretary of State shall consult the ^{F1}CMA].
- (10) Expressions used in this section which are also used in Part 3 of this Act have the same meaning in this section as in that Part.

Textual Amendments

- F1** Word in s. 206(9) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 5](#) (with art. 3)

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