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**Changes to legislation:** There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Paragraph 138. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### AMENDMENTS RELATED TO PART 3

#### PART 2

#### TRANSFER OF FUNCTIONS UNDER THE 2002 ACT TO THE CMA

##### *Part 3*

- 138 (1) Section 106 (advice and information about references under sections 22 and 33) is amended as follows.
- (2) In subsection (1)—
- (a) omit “As soon as reasonably practicable after the passing of this Act,”,
  - (b) for “the OFT” substitute “ The CMA ”, and
  - (c) for the words from “the making” to the end of the subsection substitute “—
    - (a) the making and consideration by it of references under section 22 or 33, and
    - (b) the way in which relevant customer benefits may affect the taking of enforcement action in relation to such references.””
- (3) In subsection (2), for “OFT” substitute “ CMA ”.
- (4) Omit subsections (3) and (4).
- (5) In subsection (5), in paragraph (b), for “OFT or (as the case may be) the Commission” substitute “ CMA ”.
- (6) In subsection (6)—
- (a) omit “or (3)”, and
  - (b) for “OFT or (as the case may be) the Commission” substitute “ CMA ”.
- (7) In subsection (7)—
- (a) for “OFT or the Commission” substitute “ CMA ”, and
  - (b) for “OFT or (as the case may be) the Commission” substitute “ CMA ”.
- (8) In subsection (8), for “OFT shall consult the Commission and such other persons” substitute “ CMA shall consult such persons ”.
- (9) Omit subsection (9).

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#### **Commencement Information**

**II** Sch. 5 para. 138 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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