



# Enterprise and Regulatory Reform Act 2013

## 2013 CHAPTER 24

### PART 3

#### THE COMPETITION AND MARKETS AUTHORITY

#### **28 Transitional provision: consultation**

- (1) This section applies in relation to a provision of this Act under or by virtue of which the CMA has a function of consulting another person in preparing rules, statements of policy, guidance or general advice or information.
- (2) At any time before the provision comes into force, the Office of Fair Trading or the Competition Commission or both bodies acting jointly—
  - (a) may carry out any consultation that the CMA would have power to carry out after the provision comes into force, and
  - (b) for that purpose, may prepare drafts of any documents to which the consultation relates.
- (3) At any time after the provision comes into force, the CMA may elect to treat any consultation carried out or other thing done under subsection (2) by the Office of Fair Trading or the Competition Commission (or by both bodies acting jointly) as carried out or done by the CMA.
- (4) The Secretary of State may direct the Office of Fair Trading or the Competition Commission, or both of them acting jointly, to exercise a power conferred by subsection (2).

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Section 28.