
STATUTORY INSTRUMENTS

1999 No. 2859 (C.74)

COMPETITION

The Competition Act 1998 (Commencement No. 4) Order 1999

Made - - - - 19th October 1999

Coming into force - - 10th November 1999

The Secretary of State in exercise of the powers conferred on him by section 76 of the Competition Act 1998⁽¹⁾ hereby makes the following Order:

Citation

1. This Order may be cited as the Competition Act 1998 (Commencement No. 4) Order 1999.

Provisions of the Act commenced by this Order

2. 10th November 1999 is the appointed day for the coming into force of the following provisions of the Competition Act 1998:

- (a) in Schedule 12 (minor and consequential amendments) paragraphs 1(3)(a), (b) and (d);
- (b) in Schedule 13 (transitional provisions and savings) paragraphs 40 and 41; and
- (c) in Part I of Schedule 14 (repeals and revocations) the entries relating to sections 10(2) and 54(5) of, and paragraphs 3(1) and (2) of Schedule 8 to, the Fair Trading Act 1973⁽²⁾.

19th October 1999

Stephen Byers
Secretary of State for Trade and Industry

(1) 1998 c. 41.
(2) 1973 c. 41.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 10th November 1999 the repeal of sections 10(2) and 54(5) of the Fair Trading Act 1973 which provide that, on a monopoly reference to the Competition Commission, the Commission may not take any account of any provisions of an agreement in so far as they are provisions by virtue of which it is an agreement to which the Restrictive Trade Practices Act 1976 (1976 c. 33) applies, and may not find that such provisions operate or may be expected to operate against the public interest. It brings into force the repeal of paragraphs 3(1) and (2) of Schedule 8 to the Fair Trading Act 1973. These subparagraphs preclude any order made by the Secretary of State which makes agreements, or their carrying out, unlawful from extending to agreements to which the Restrictive Trade Practices Act 1976 applies. Finally it brings into force paragraphs 40 and 41 of Schedule 13 which make transitional provisions in respect of the repeals commenced by this Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Competition Act 1998 have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No</i>
s. 3(1)(a), (c) and (d) and (2) to (6)	11.1.1999	1998/3166
s. 3(1)(b) (partially)	11.1.1999	1998/3166
s. 12(3)	11.1.1999	1998/3166
s. 19	11.1.1999	1998/3166
s. 38(1) to (7)	11.1.1999	1998/3166
s. 45	1.4.1999	1999/505
s. 48	1.4.1999	1999/505
s. 49(3)	1.4.1999	1999/505
s. 50	11.1.1999	1998/3166
s. 51	26.11.1998	1998/2750
s. 52	26.11.1998	1998/2750
s. 53	11.1.1999	1998/3166
s. 54(2) (partially)	26.11.1998	1998/2750
s. 54(3) (partially)	11.1.1999	1998/3166
	1.4.1999	1999/505
s. 54(4) to (7)	11.1.1999	1998/3166

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No</i>
s. 55(6)	11.1.1999	1998/3166
s. 57	11.1.1999	1998/3166
s. 59 (partially)	26.11.1998	1998/2750
s. 59 (for all other purposes)	11.1.1999	1998/3166
s. 60	11.1.1999	1998/3166
s. 66	1.4.1999	1999/505
s. 67	1.4.1999	1999/505
s. 68	1.4.1999	1999/505
s. 69	11.1.1999	1998/3166
s.74 (partially)	11.1.1999	1998/3166
	1.4.1999	1999/505
Sch. 1	11.1.1999	1998/3166
In Sch. 2 para 6	11.1.1999	1998/3166
Sch. 3	11.1.1999	1998/3166
Sch. 4	11.1.1999	1998/3166
Sch. 7	1.4.1999	1999/505
In Sch. 8 para 1 and Part II	1.4.1999	1999/505
Sch. 9	26.11.1998	1998/2750
In Sch. 10 paras 2 to 8 (partially)	26.11.1998	1998/2750
In Sch. 10 paras 9(7)(b), 10(6)(b), 11(b), 12(7)(b), 13(10)(b), 14(b), 15(9)(b), 17(7)(b) and 18(6)(b)	11.1.1999	1998/3166
In Sch. 10 paras 1, 9(1), (2) and (5), 10(1) and (2), 12(1), (2), and (6), 13(1), (3) and (8), 15(1) and (2), 17(1), (2) and (6) and 18(1) and (2)	1.4.1999	1999/505
In Sch. 12 paras 1(1), (2), (9) to (13) and (15), 4(1), (3) and (12), 6(a), 7(1) and (2), 14(1) and (3), 15, and 20(1) and (2)	1.4.1999	1999/505
In Sch. 12 paras 1(14), 3(b), 4(9) and (11), 10(b) and 18(b)	11.1.1999	1998/3166
In Sch. 13 paras 10(5) and 19(3)	11.1.1999	1998/3166
In Sch. 13 paras 11 and 12(1) (partially)	11.1.1999	1998/3166

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<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No</i>
In Sch. 14 the entries in Part I relating to ss. 4, 45, 81, 135 of, and Sch. 3 to, the Fair Trading Act 1973, and in Part II the entry relating to para 16(2) of Sch. 8 to the Agricultural Marketing (Northern Ireland) Order 1982	1.4.1999	1999/505
In Sch. 14 the entries in Part I relating to s. 83 of the Fair Trading Act 1973 and to s. 22 of the Competition Act 1980	11.1.1999	1998/3166