
 S T A T U T O R Y I N S T R U M E N T S

2000 No. 2031**COMPETITION**
**The Competition Act 1998 (Consequential and
Supplemental Provisions) Order 2000**

<i>Made</i> - - - - -	<i>25th July 2000</i>
<i>Laid before Parliament</i>	<i>27th July 2000</i>
<i>Coming into force</i> - - -	
<i>Articles 6, 8, 10 to 14, 17 and 18</i>	<i>1st March 2001</i>
<i>Remainder</i>	<i>1st September 2000</i>

The Secretary of State in exercise of the powers conferred on him by sections 45, 71 and 75 of the Competition Act 1998(a) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Competition Act 1998 (Consequential and Supplemental Provisions) Order 2000 and shall come into force on 1st September 2000 with the exception of articles 6, 8, 10 to 14, 17 and 18 which shall come into force on 1st March 2001.

Supplemental amendments to the Competition Act 1998

2. In the Competition Act 1998 in paragraph 38 of Schedule 13 in sub-paragraph (5) after “or paragraph 2 or 9 of Schedule 3” insert “or the Competition Act 1998 (Land and Vertical Agreements Exclusion) Order 2000”(b).

Consequential amendments

Secretary of State for Trade and Industry Order 1970

- 3.—**(1) The Secretary of State for Trade and Industry Order 1970(c) is amended as follows.
(2) In article 2 (transfer of functions to Secretary of State) paragraph (3) is revoked.

Secretary of State (New Departments) Order 1974

- 4.—**(1) The Secretary of State (New Departments) Order 1974(d) is amended as follows.

(a) 1998 c. 41.

(b) S.I. 2000/310.

(c) S.I. 1970/1537, to which there are amendments not relevant to this Order.

(d) S.I. 1974/692.

(2) In Schedule 1, Part IV (prices and consumer protection) is revoked.

Transfer of Functions (Wales) (No 1) Order 1978

5.—(1) The Transfer of Functions (Wales) (No 1) Order 1978(a) is amended as follows.

(2) In Schedule 1 (enactments conferring functions transferred by article 2) the words “Section 33 of the Restrictive Trade Practices Act 1976 (c. 34).” are revoked.

Restriction on Agreements and Conduct (Tour Operators) Order 1987

6.—(1) The Restriction on Agreements and Conduct (Tour Operators) Order 1987(b) is amended as follows.

(2) In article 3 (agreements) paragraph (3) is revoked.

(3) In article 4 (agreements) paragraph (2) is revoked.

Companies (Disclosure of Information) (Designated Authorities) Order 1988

7.—(1) The Companies (Disclosure of Information) (Designated Authorities) Order 1988(c) is amended as follows.

(2) In article 2 (designation of authorities and specification of functions) in paragraph (a) the words “the Restrictive Trade Practices Act 1976 and” are revoked and after the words “and the Competition Act 1980” are inserted the words “and the Competition Act 1998”.

(3) In article 2 in paragraph (b) after the words “the Competition Act 1980” are added the words “and the Competition Act 1998”.

Films (Exclusivity Agreements) Order 1989

8.—(1) The Films (Exclusivity Agreements) Order 1989(d) is amended as follows.

(2) In article 3—

(a) in paragraph (1) for the words “paragraphs (3) and (4)” are substituted the words “paragraph (4)”; and

(b) paragraph (3) is revoked.

Financial Services (Disclosure of Information) (Designated Authorities) (No 6) Order 1989

9.—(1) The Financial Services (Disclosure of Information) (Designated Authorities) (No 6) Order 1989(e) is amended as follows.

(2) In article 2 (designation of authorities and specification of functions) subparagraph (a)(v) is revoked and after subparagraph (vi) is inserted “(vii) the Competition Act 1998; and”.

Supply of Beer (Loan Ties, Licensed Premises and Wholesale Prices) Order 1989

10.—(1) The Supply of Beer (Loan Ties, Licensed Premises and Wholesale Prices) Order 1989(f) is amended as follows.

(2) In article 6, paragraph (1) is revoked.

Supply of Beer (Tied Estate) Order 1989

11.—(1) The Supply of Beer (Tied Estate) Order 1989(g) is amended as follows.

(2) In article 8, paragraph (1) is revoked.

(a) S.I. 1978/272.

(b) S.I. 1987/1131.

(c) S.I. 1988/1334, as amended by the Competition Act 1998 section 45(4).

(d) S.I. 1989/271.

(e) S.I. 1989/2009, as amended by S.I. 1999/506.

(f) S.I. 1989/2258.

(g) S.I. 1989/2390, to which there are amendments not relevant to this Order.

Credit Cards (Merchant Acquisition) Order 1990

- 12.**—(1) The Credit Cards (Merchant Acquisition) Order 1990(a) is amended as follows.
- (2) Article 5 is revoked.

Credit Cards (Price Discrimination) Order 1990

- 13.**—(1) The Credit Cards (Price Discrimination) Order 1990(b) is amended as follows.
- (2) Article 5 is revoked.

Electrical Contracting (London Exhibition Halls) Order 1995

- 14.**—(1) The Electrical Contracting (London Exhibition Halls) Order 1995(c) is amended as follows.
- (2) Article 7 is revoked.

Banking Act 1987 (Exempt Transactions) Regulations 1997

- 15.**—(1) The Banking Act 1987 (Exempt Transactions) Regulations 1987(d) are amended as follows.
- (2) Regulation 6 (agricultural, forestry and fisheries associations) is revoked.

Telecommunications (Interconnection) Regulations 1997

- 16.**—(1) The Telecommunications (Interconnection) Regulations 1997(e) are amended as follows.
- (2) In Schedule 6 (conditions inserted in Schedule 1 to the relevant licence) condition ICD 2.5 is revoked.

Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998

- 17.**—(1) The Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998(f) is amended as follows.
- (2) Article 11 (registrable agreements) is revoked.

Foreign Package Holidays (Tour Operators and Travel Agents) Order 1998

- 18.**—(1) The Foreign Package Holidays (Tour Operators and Travel Agents) Order 1998(g) is amended as follows.
- (2) Article 5 (registrable agreements) is revoked.

Scotland Act 1998 (Consequential Modifications) (No 2) Order 1999

- 19.**—(1) The Scotland Act 1998 (Consequential Modifications) (No 2) Order 1999(h) is amended as follows.
- (2) In Schedule 1 Part I (provisions or Acts to which article 2(2) does not apply) the words “Restrictive Trade Practices Act 1976 (c.34), section 33(6)” are revoked.

Greater London Authority Act 1999

- 20.**—(1) The Greater London Authority Act 1999(i) is amended as follows.

(a) S.I. 1990/2158.
(b) S.I. 1990/2159.
(c) S.I. 1995/3299.
(d) S.I. 1997/817.
(e) S.I. 1997/2931.
(f) S.I. 1998/1271.
(g) S.I. 1998/1945.
(h) S.I. 1999/1820.
(i) 1999 c. 29.

- (2) In section 235 (restrictions on disclosure of information)—
- (a) in subsection (3) paragraphs (d) and (e) are repealed; and
 - (b) after paragraph (r) the words “(rr) the Competition Act 1998” are inserted.

Competition Act 1998 (Transitional, Consequential and Supplemental Provisions) Order 2000

21.—(1) The Competition Act 1998 (Transitional, Consequential and Supplemental Provisions) Order 2000(a) is amended as follows.

- (2) Article 35 (Greater London Authority Act 1999) is revoked.

Consequential amendments: Northern Ireland

Consumer Protection (Northern Ireland) Order 1987

22.—(1) The Consumer Protection (Northern Ireland) Order 1987(b) is amended as follows.

- (2) In article 29 in paragraph (6)(b) for the words “the Monopolies and Mergers Commission” are substituted the words “the Competition Commission”.

25th July 2000

Kim Howells,
Parliamentary Under Secretary of State for
Consumers and Corporate Affairs,
Department of Trade and Industry

(a) S.I. 2000/311.

(b) S.I. 1987/2049 (NI 20).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes consequential and supplemental provisions in connection with the commencement on 1st March 2000 of the majority of the provisions of the Competition Act 1998 not previously commenced by the Competition Act 1998 (Commencement No. 5) Order 2000 (S.I. 2000/344).

Article 2 provides that the Director General of Fair Trading may in certain circumstances terminate the transitional period in respect of an agreement which is excluded from the Chapter I prohibition by virtue of any provisions of the Competition Act 1998 (Land and Vertical Agreements Exclusion) Order 2000 (S.I. 2000/310).

Articles 3 and 4 make consequential amendments by revoking entries for section 9(11) of the Agriculture Act 1967 in the Secretary of State for Trade and Industry Order 1970 and the Secretary of State (New Departments) Order 1974; section 9(11) of the Act of 1967 having been repealed by article 7 of the Competition Act 1998 (Transitional, Consequential and Supplemental Provisions) Order 2000.

Articles 5, 9, 15, 19 and 20 make consequential amendments by repealing or revoking entries for the Restrictive Trade Practices Act 1976 in the following Acts, Orders or Regulations: the Transfer of Functions (Wales) (No. 1) Order 1978, the Financial Services (Disclosure of Information) (Designated Authorities) (No. 6) Order 1989, the Banking Act 1987 (Exempt Transactions) Regulations 1997, the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 and the Greater London Authority Act 1999; the Act of 1976 having been repealed by section 1(b) of the Competition Act 1998. Article 9 also inserts an entry for the Competition Act 1998 into the 1989 Order.

Articles 6, 8, 10 to 14, 17 and 18 make consequential amendments by revoking entries for the Restrictive Trade Practices Act 1976 in the following Orders: the Restriction on Agreements and Conduct (Tour Operators) Order 1987, the Films (Exclusivity Agreements) Order 1989, the Supply of Beer (Loan Ties, Licensed Premises and Wholesale Prices) Order 1989, the Supply of Beer (Tied Estate) Order 1989, the Credit Cards (Merchant Acquisition) Order 1990, the Credit Cards (Price Discrimination) Order 1990, the Electrical Contracting (London Exhibition Halls) Order 1995, the Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998 and the Foreign Package Holidays (Tour Operators and Travel Agents) Order 1998, the provisions being preserved for a transitional period; the Act of 1976 having been repealed by section 1(b) of the Competition Act 1998. When these amendments come into force, the provisions being revoked will have become spent by virtue of the operation of Schedule 13, paragraph 41, to the Competition Act 1998.

Article 7 makes a consequential amendment by revoking the entry for the Restrictive Trade Practices Act 1976 in the Companies (Disclosure of Information) (Designated Authorities) Order 1998 and inserting an entry for the Competition Act 1998; the Act of 1976 having been repealed by section 1(b) of the 1998 Act.

Article 16 makes a consequential amendment by revoking the entry for the Restrictive Trade Practices Act 1976 in the Telecommunications (Interconnection) Regulations 1997, with the effect that the power of the Director General of Fair Trading to consent to an otherwise restrictive condition is removed; the Act of 1976 having been repealed by section 1(b) of the Competition Act 1998.

Article 21 corrects an error in the Competition Act 1998 (Transitional, Consequential and Supplemental Provisions) Order 2000.

Article 22 makes a consequential amendment by revoking the entry for the Monopolies and Mergers Commission in the Consumer Protection (Northern Ireland) Order 1987; the Monopolies and Mergers Commission having been dissolved and its functions transferred to the Competition Commission by section 45 of the Competition Act 1998.

STATUTORY INSTRUMENTS

2000 No. 2031

COMPETITION

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