

---

STATUTORY INSTRUMENTS

---

**2003 No. 1592**

**COMPETITION**

The Enterprise Act 2002 (Protection  
of Legitimate Interests) Order 2003

*Made* - - - - - *17th June 2003*

*Coming into force* *20th June 2003*

THE ENTERPRISE ACT 2002 (PROTECTION  
OF LEGITIMATE INTERESTS) ORDER 2003

1. Citation, commencement and interpretation
  2. Determination of a relevant merger situation
  3. European intervention notices under section 67 of the Act
  4. Initial investigation and report by CMA
  - 4A Additional investigation and report by OFCOM: media mergers
  5. Power of Secretary of State to refer the matter
  - 5A Functions to be exercised by CMA groups
  6. Questions to be decided on references under article 5
  7. Cancellation or variation of references under article 5
  8. Investigations and reports on references under article 5
  9. Time-limits and investigations and reports by CMA
  10. Article 9: supplementary
  11. Restrictions on action where public interest considerations not finalised
  12. Decision and enforcement by Secretary of State
  13. Enforcement action in European intervention notice cases
  14. Publicity requirements
  15. Other provisions of the Act applicable to this Order
  16. Consequential amendments
- Signature

---

SCHEDULE 1 — MODIFICATIONS TO SECTIONS 23 TO 32 OF THE ACT  
Sections 23 to 32 of the Act shall apply as...

SCHEDULE 2 — ENFORCEMENT ACTION IN EUROPEAN INTERVENTION  
NOTICE CASES

**Changes to legislation:** There are currently no known outstanding effects for the The Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003. (See end of Document for details)

1. Pre-emptive ... orders
2. (1) Sub-paragraph (2) applies where a European intervention notice is...
3. Undertakings in lieu of reference under article 5
4. (1) The Secretary of State shall not make a reference...
5. (1) Sub-paragraph (2) applies where the Secretary of State considers...
6. (1) Sub-paragraph (2) applies where— (a) the Secretary of State...
7. Statutory restrictions following reference under article 5
8. (1) Sub-paragraph (2) applies where— (a) a reference has been...
9. Final undertakings and orders
10. (1) Sub-paragraph (2) applies where the Secretary of State considers...
11. (1) The Secretary of State may, in accordance with article...

#### SCHEDULE 3 — OTHER PROVISIONS OF THE ACT APPLICABLE TO THE ORDER

1. (1) The following sections of Part 3 of the Act...
2. (1) The following Schedules of the Act shall apply, with...
3. Section 243(1) of the Act (overseas disclosures) shall not apply...

#### SCHEDULE 4 — CONSEQUENTIAL AMENDMENTS

1. The Statutory Instruments Act 1946 shall apply in relation to...
2. In section 11AB of the Registered Designs Act 1949 (powers...
3. (1) In section 50A of the Patents Act 1977 (powers...
4. In section 95 of the Telecommunications Act 1984 (modification of...
5. In section 54 of the Airports Act 1986 (modification of...
6. In section 27 of the Gas Act 1986 (modification of...
7. (1) In section 144 of the Copyright, Design and Patents...
8. In section 15 of the Electricity Act 1989 (modification of...
9. In section 193 of the Broadcasting Act 1990 (modification of...
10. In section 17 of the Water Industry Act 1991 (modification...
11. In article 18 of the Electricity (Northern Ireland) Order 1992...
12. (1) In section 16 of the Railways Act 1993 (modification...
13. In article 45 of the Airports (Northern Ireland) Order 1994...
14. In article 18 of the Gas (Northern Ireland) Order 1996...
15. (1) In Schedule 1 to the Competition Act 1988 (exclusions:...
16. In section 21 of the Postal Services Act 2000 (modification...
17. In section 19 of the Transport Act 2000 (modification of...
18. Enterprise and Regulatory Reform Act 2013 (c. 24)

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003.