STATUTORY INSTRUMENTS

2004 No. 1261

COMPETITION

The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004

Made - - - - 30th April 2004

Coming into force

For the purposes of regulation

4 as it gives effect to paragraphs

50(a) and 54(8) of

Schedule 1 – For all other purposes

1st May 2004

1st May 2007

THE COMPETITION ACT 1998 AND OTHER ENACTMENTS (AMENDMENT) REGULATIONS 2004

- 1. Citation and commencement
- 2. Interpretation
- 3. Designation of national competition authorities
- 4. Amendments to the Competition Act 1998
- 5. Amendments to other enactments
- 6. Savings and consequential provision
- 7. (1) Paragraph (2) applies if, before the appointed day, the...

8.

- 9. (1) Paragraph (2) applies if—(a) an agreement has been...
- 10. Where section 5 of the 1998 Act continues to have... Signature

SCHEDULE 1 — Amendments to the Competition Act 1998

- 1. In the long title of the 1998 Act, for "Article...
- 2. Section 4 (individual exemptions) shall cease to have effect.
- 3. Section 5 (cancellation etc. of individual exemptions) shall cease to...

- 4. (1) Section 6 (block exemptions) is amended as follows.
- 5. Section 7 (block exemptions: opposition) shall cease to have effect....
- 6. (1) Section 9 (the criteria for individual and block exemptions)...
- 7. (1) Section 10 (parallel exemptions) is amended as follows.
- 8. (1) Section 11 (exemption for certain other agreements) is amended...
- 9. Sections 12 to 16 and 20 to 24 (which concern...
- 10. For Section 25 (OFT's power to investigate) there is substituted—...
- 11. In section 26(1) (powers when conducting investigations), the words "under...
- 12. (1) Section 27 (power to enter premises without a warrant)...
- 13. (1) Section 28 (power to enter premises under a warrant)...
- 14. After section 28 there is inserted—28A Power to enter...
- 15. (1) Section 29 (entry of premises under a warrant: supplementary)...
- 16. In section 30A (use of statements in prosecution), for the...
- 17. For section 31 (decisions following an investigation) there is substituted —...
- 18. After section 31 there is inserted—31A Commitments
- 19. (1) Section 32 (directions in relation to agreements) is amended...
- 20. (1) Section 33 (directions in relation to conduct) is amended...
- 21. (1) Section 35 (interim measures) is amended as follows.
- 22. (1) Section 36 (penalty for infringing Chapter I or Chapter...
- 23. (1) Section 38 (the appropriate level of penalty) is amended...
- 24. (1) Section 39 (limited immunity for small agreements) is amended...
- 25. (1) Section 40 (limited immunity in relation to the Chapter...
- 26. Section 41 (agreements notified to the Commission) shall cease to...
- 27. (1) Section 42 (offences) is amended as follows.
- 28. (1) Section 43 (destroying or falsifying documents) is amended as...
- 29. (1) Section 46 (appealable decisions) is amended as follows.
- 30. (1) Section 47 (third party appeals) is amended as follows....
- 31. (1) Section 52 (advice and information) is amended as follows....
- 32. Section 53 (fees) shall cease to have effect.
- 33. (1) Section 54 (regulators) is amended as follows.
- 34. (1) Section 58 (findings of fact by OFT) is amended...
- 35. (1) Section 59 (interpretation of Part 1) is amended as...
- 36. For section 61 (introduction), and the Part heading immediately preceding...
- 37. (1) Section 62 (power to enter premises: Commission investigations) is...
- 38. After section 62 there is inserted—62A Power to enter...
- 39. After section 62A, there is inserted—62B Powers when conducting...
- 40. (1) Section 63 (power to enter premises: OFT's special investigations)...
- 41. (1) Section 64 (entry of premises under sections 62 and...
- 42. (1) Section 65 (offences) is amended as follows.
- 43. After section 65, there is inserted—65A Privileged communications: Article...
- 44. After Part 2, there is inserted—PART 2A Article 22(1)...
- 45. In section 72(1) (offences by bodies corporate etc.), for the...
- 46. (1) Section 73 (crown application) is amended as follows.
- 47. After section 75 there is inserted—75A Rules in relation...
- 48. (1) Schedule 1 (exclusions: mergers and concentrations) is amended as...
- 49. (1) Schedule 2 (exclusions: other competition scrutiny) is amended as...
- 50. In Schedule 3 (general exclusions)— (a) paragraph 2 shall cease...
- 51. Schedule 5 (notification under Chapter I: procedure) and Schedule 6...
- 52. Before Schedule 7 there is inserted— SCHEDULE 6A COMMITMENTS Section...

Changes to legislation: There are currently no known outstanding effects for the The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004. (See end of Document for details)

- 53. (1) Schedule 8 (appeals) is amended as follows.
- 54. (1) Schedule 9 (OFT's rules) is amended as follows.

SCHEDULE 2 — Amendments to other enactments

- 1. (1) The Gas Act 1986 is amended as follows.
- 2. (1) The Companies Act 1989 is amended as follows.
- 3. (1) The Electricity Act 1989 is amended as follows.
- 4. (1) The Water Industry Act 1991 is amended as follows....
- 5. (1) The Electricity (Northern Ireland) Order 1992 is amended as...
- 6. (1) The Railways Act 1993 is amended as follows.
- 7. (1) The Environment Act 1995 is amended as follows.
- 8. (1) The Channel Tunnel Rail Link Act 1996 is amended...
- 9. (1) The Gas (Northern Ireland) Order 1996 is amended as...
- 10. (1) The Transport Act 2000 is amended as follows.
- 11. (1) The Communications Act 2003 is amended as follows.

Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004.