

SCHEDULE 1

Amendments to the Competition Act 1998

23.—(1) Section 38 (the appropriate level of penalty) is amended as follows.

(2) After subsection (1) there is inserted— “ (1A) The guidance must include provision about the circumstances in which, in determining a penalty under this Part, the OFT may take into account effects in another Member State of the agreement or conduct concerned. ”.

Changes to legislation:

There are currently no known outstanding effects for the The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004, Paragraph 23.