

SCHEDULE 1

Amendments to the Competition Act 1998

34.—(1) Section 58 (findings of fact by OFT) is amended as follows.

(2) In subsection (1), the words “or the OFT has decided to take further action in accordance with section 16(2) or 24(2)” shall cease to have effect.

(3) In subsection (2)—

(a) for the definition of “an OFT’s finding” there is substituted—

““an OFT’s finding” means a finding of fact made by the OFT in the course of conducting an investigation;”;

(b) for the definition of “Part 1 Proceedings” there is substituted—

““Part 1 proceedings” means proceedings brought otherwise than by the OFT—

(a) in respect of an alleged infringement of the Chapter I prohibition or of the Chapter II prohibition; or

(b) in respect of an alleged infringement of the prohibitions in Article 81(1) or Article 82;”;

(c) in the definition of “relevant party”—

“(i) in paragraph (a), after “the Chapter I prohibition” insert “ or the prohibition in Article 81(1) ”; and

(ii) in paragraph (b), after “the Chapter II prohibition” insert “ or the prohibition in Article 82. ””

Changes to legislation:

There are currently no known outstanding effects for the The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004, Paragraph 34.