

SCHEDULE 1

Amendments to the Competition Act 1998

6.—(1) Section 9 (the criteria for individual and block exemptions) is renumbered as subsection (1) of that section.

(2) In that provision, for the words “This section applies to any agreement which” there is substituted “ An agreement is exempt from the Chapter I prohibition if it ”.

(3) In paragraph (a) of that provision, for the word “but” there is substituted “ and ”.

(4) After that provision there is inserted—

“(2) In any proceedings in which it is alleged that the Chapter I prohibition is being or has been infringed by an agreement, any undertaking or association of undertakings claiming the benefit of subsection (1) shall bear the burden of proving that the conditions of that subsection are satisfied.”.

(5) In the sidenote to section 9, for the words “The criteria for individual and block exemptions” there is substituted “ Exempt agreements ”.

Changes to legislation:

There are currently no known outstanding effects for the The Competition Act 1998 and Other Enactments (Amendment) Regulations 2004, Paragraph 6.