

SCHEDULE 4

Saving and transitional provision

PART 7

Enterprise Act 2002 [^{F1}and other merger control legislation]

Textual Amendments

- F1** Words in Sch. 4 Pt. 7 heading inserted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **42**

Intervention to protect legitimate interests: no European intervention notice before [^{F1}IP completion]

25.—(1) This paragraph applies in a case in which immediately before [^{F2}IP completion day]—

- (a) a concentration has been examined by the European Commission under the EC Merger Regulation and the EU merger decision has been taken in relation to the concentration;
- (b) the conditions specified in section 67(1) of the 2002 Act are met in relation to the concentration concerned; and
- (c) the Secretary of State has not made a decision to give an intervention notice under [^{F3}section 67(2) of the 2002 Act].

(2) The old legitimate interests law continues to have effect on and after [^{F4}IP completion day] in relation to the concentration concerned except that the conditions in section [^{F5}67(1)(a)(ii), (b) and (c)] are treated as being met on and after [^{F4}IP completion day].

(3) In this paragraph “the old legitimate interests law” means—

- (a) sections 67 and 68 of the 2002 Act;
- (b) the Enterprise Act 2002 (Anticipated Mergers) Order 2003 ^{M1} without the modification made by paragraph 6(2) of Schedule 2 to these Regulations; and
- (c) the 2003 Order.

Textual Amendments

- F1** Words in Sch. 4 para. 25 heading substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **51(4)**
- F2** Words in Sch. 4 para. 25(1) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **51(2)(a)**
- F3** Words in Sch. 4 para. 25(1)(c) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **51(2)(b)**
- F4** Words in Sch. 4 para. 25(2) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **51(3)(a)**
- F5** Words in Sch. 4 para. 25(2) substituted (31.12.2020 immediately before IP completion day) by [The Competition \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1343\)](#), regs. 1(1), **51(3)(b)**

Changes to legislation: There are currently no known outstanding effects for the The Competition (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 25. (See end of Document for details)

Commencement Information

- II** Sch. 4 para. 25 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

- M1** [S.I. 2003/1595](#), to which there is an amendment not relevant to these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Competition (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 25.