SCHEDULE 1

TRANSFER OF FUNCTIONS OF OFT AND COMPETITION COMMISSION TO CMA AND AMENDMENTS CONSEQUENTIAL ON PARTS 3 AND 4 OF THE ACT

PART 2

Amendments to other Acts of Parliament

Transport Act 2000

150.—(1) Section 12B (references under section 12: application of Enterprise Act 2002)(**1**) is amended as follows.

(2) In subsection (1), after "subsections" insert "(1A),".

(3) After subsection (1), insert—

"(1A) Section 109 shall, in its application by virtue of subsection (1) above, have effect as if—

(a) for subsection (A1), there were substituted—

"(A1) For the purposes of this section, a permitted purpose is assisting the CMA in carrying out any functions exercisable by it in connection with a reference under section 12 of the Transport Act 2000.", and

(b) subsection (8A) were omitted."

(4) In subsection (2)—

(a) at the end of paragraph (a), omit "and",

(b) after that paragraph, insert—

"(aa)   after subsection (3), there were inserted—

"(3A) No penalty shall be imposed by virtue of subsection (1) or (3) if more than 4 weeks have passed since the publication of the report of the CMA on the reference concerned; but this subsection shall not apply in relation to any variation or substitution of the penalty which is permitted by virtue of this Part."; and".

(5) For subsection (3) substitute—

"(3) Section 111(5)(b) shall, in its application by virtue of subsection (1), have effect as if for sub-paragraph (ii) there were substituted—

"(ii) if earlier, the day on which the report of the CMA on the reference concerned is made or, if no such report is made within the period permitted for that purpose, the latest day on which the report may be made within the permitted period."."."

(**1**)   Inserted by Schedule 25 to the Enterprise Act 2002 and amended by Schedule 6 to the Enterprise and Regulatory Reform Act 2013.