



# Competition Act 1980

## 1980 CHAPTER 21

### *Control of anti-competitive practices*

#### **8 Conclusions and reports of the Commission**

- (1) A report of the Commission on a competition reference shall be made to the Secretary of State.
- (2) Subject to section 6(6) above and subsection (3) below, a report on a competition reference shall state, with reasons, the conclusions of the Commission with respect to the following matters—
  - (a) whether any person whose activities were investigated was at any time during the period of twelve months referred to in paragraph (a) of subsection (5) of section 6 above pursuing any such course of conduct as is referred to in that paragraph ; and
  - (b) if so, whether by pursuing such a course of conduct any such person was at any time during that period engaging in an anti-competitive practice; and
  - (c) if so, whether that anti-competitive practice operated or might be expected to operate against the public interest; and
  - (d) if so, what are, or are likely to be, the effects adverse to the public interest.
- (3) If, on a competition reference, the Commission conclude that any person was pursuing such a course of conduct as is referred to in section 6(5)(a) above but that, by virtue of section 2(2) above, that course of conduct does not, in whole or in part, constitute an anti-competitive practice, the Commission shall state their conclusion in their report and shall not make any recommendation under subsection (4) below with respect to things done as mentioned in section 2(2) above.
- (4) If, on a competition reference, the Commission conclude that any person was at any time during the period of twelve months referred to in section 6(5)(a) above engaging in an anti-competitive practice which operated or might be expected to operate against the public interest, the Commission—
  - (a) shall, as part of their investigations, consider what action (if any) should be taken for the purpose of remedying or preventing the adverse effects of that practice ; and

---

*Status: This is the original version (as it was originally enacted).*

---

- (b) may, if they think fit, include in their report recommendations as to such action including, where appropriate, action by one or more Ministers (including Northern Ireland departments) or other public authorities.
- (5) A copy of every report of the Commission on a competition reference shall be transmitted by the Commission to the Director; and the Secretary of State shall take account of any advice given to him by the Director with respect to any such report.