Competition Act 1998

CHAPTER 41

COMPETITION ACT 1998

PART I

COMPETITION

CHAPTER I

AGREEMENTS

Introduction

1 Enactments replaced.

The prohibition

2 Agreements etc. preventing, restricting or distorting competition.

Excluded agreements

3 Excluded agreements.

Exemptions

4 Individual exemptions.
5 Cancellation etc. of individual exemptions.
6 Block exemptions.
7 Block exemptions: opposition.
8 Block exemptions: procedure.
9 Exempt agreements.
10 Parallel exemptions.
11 Exemption for certain other agreements.


Notification

12 Requests for OFT to examine agreements.
13 Notification for guidance.
14 Notification for a decision.
15 Effect of guidance.
16 Effect of a decision that the Chapter I prohibition has not been infringed.

CHAPTER II

ABUSE OF DOMINANT POSITION

Introduction

17 Enactments replaced.

The prohibition

18 Abuse of dominant position.

Excluded cases

19 Excluded cases.

Notification

20 Requests for OFT to consider conduct.
21 Notification for guidance.
22 Notification for a decision.
23 Effect of guidance.
24 Effect of a decision that the Chapter II prohibition has not been infringed.

CHAPTER III

INVESTIGATION AND ENFORCEMENT

Investigations

25 Power of CMA to investigate
25A Power of CMA to publish notice of investigation
26 Investigations: powers to require documents and information
26A Investigations: power to ask questions
27 Power to enter business premises without a warrant
28 Power to enter business premises under a warrant.
28A Power to enter domestic premises under a warrant
29 Entry of premises under warrant: supplementary.
30 Privileged communications.
30A Use of statements in prosecution
31 Decisions following an investigation.
31A Commitments
31B Effect of commitments under section 31A
31C Review of commitments
31D Guidance
31E Enforcement of commitments
31F Power for Secretary of State to impose time-limits on investigations etc.

Enforcement

32 Directions in relation to agreements.
33 Directions in relation to conduct.
34 Enforcement of directions.
35 Interim measures.
36 Penalties.
37 Recovery of penalties.
38 The appropriate level of a penalty.
39 Limited immunity in relation to the Chapter I prohibition.
40 Limited immunity in relation to the Chapter II prohibition.

Civil sanctions

40A Penalties: failure to comply with requirements
40B Statement of policy on penalties
41 Agreements notified to the Commission.

Offences

42 Offences.
43 Destroying or falsifying documents.
44 False or misleading information.

CHAPTER IV

APPEALS BEFORE THE TRIBUNAL AND PROCEEDINGS AND SETTLEMENTS RELATING TO INFRINGEMENTS OF COMPETITION LAW

... 

45 The Competition Commission.

Appeals before the Tribunal

46 Appealable decisions.
47 Third party appeals

Claims for loss or damage: proceedings before the Tribunal

47A Proceedings before the Tribunal: claims for damages etc.
47B Collective proceedings before the Tribunal
47C Collective proceedings: damages and costs
47D Proceedings under section 47A or collective proceedings: injunctions etc.
47E Limitation or prescriptive periods for proceedings under section 47A and collective proceedings

Further provision about claims in respect of loss or damage before a court or the Tribunal

47F Further provision about claims in respect of loss or damage before a court or the Tribunal
Further appeals from the Tribunal

48 Further appeals from the Tribunal. 

49 Settlements relating to infringements of competition law

49A Collective settlements: where a collective proceedings order has been made

49B Collective settlements: where a collective proceedings order has not been made

49C Approval of redress schemes by the CMA

49D Redress schemes: recovery of costs

49E Enforcement of approved schemes

CHAPTER V

MISCELLANEOUS

Vertical agreements and land agreements

50 Vertical agreements and land agreements.

CMA’s rules, guidance and fees

51 Rules.

52 Advice and information.

53 Fees.

Regulators

54 Regulators.

Confidentiality and immunity from defamation

55 General restrictions on disclosure of information.

56 Director and Secretary of State to have regard to certain matters in relation to the disclosure of information.

57 Defamation.

Findings of fact by CMA

58 Findings of fact by CMA.

Findings of infringements

58A Infringement decisions

Interpretation and governing principles

59 Interpretation of Part 1.

60 Principles to be applied in determining questions.

PART II

INSPECTIONS UNDER ARTICLES 20, 21 AND 22(2)

61 Introduction.
62 Power to enter business premises under a warrant: Article 20 inspections
62A Power to enter non-business premises under a warrant: Article 21 inspections
62B Powers when conducting an Article 22(2) inspection
63 Power to enter business premises under a warrant: Article 22(2) inspections.
64 Entry of premises under sections 62, 62A and 63: supplementary.
65 Offences.
65A Privileged communications: Article 22(2) inspections
65B Use of statements in prosecution: Article 22(2) inspections

PART 2A
ARTICLE 22(1) INVESTIGATIONS

65C Interpretation of Part 2A
65D Power to conduct an Article 22(1) investigation
65E Powers when conducting Article 22(1) investigations
65F Power to enter business premises without a warrant
65G Power to enter business premises under a warrant
65H Power to enter domestic premises under a warrant
65I Entry of premises under a warrant: supplementary
65J Privileged communications
65K Use of statements in prosecution
65L Offences
65M Destroying or falsifying documents
65N False or misleading information

PART III
MONOPOLIES

66 Monopoly investigations: general.
67 Offences.
68 Services relating to use of land.
69 Reports: monopoly references.

PART IV
SUPPLEMENTAL AND TRANSITIONAL

70 Contracts as to patented products etc.
71 Regulations, orders and rules.
72 Offences by bodies corporate etc.
73 Crown application.
74 Amendments, transitional provisions, savings and repeals.
75 Consequential and supplementary provision.
75A Rules in relation to Part 2 and Part 2A
76 Short title, commencement and extent.

SCHEDULES
SCHEDULE 1 — Exclusions: Mergers and Concentrations
Part I — MERGERS
Enterprises ceasing to be distinct: the Chapter I prohibition

1 (1) To the extent to which an agreement (either on...

Enterprises ceasing to be distinct: the Chapter II prohibition

2 (1) To the extent to which conduct (either on its...

Transfer of a newspaper or of newspaper assets

3 (1) The Chapter I prohibition does not apply to an...

Withdrawal of the paragraph 1 exclusion

4 (1) The exclusion provided by paragraph 1 does not apply...

Protected agreements

5 An agreement is a protected agreement for the purposes of...
   Part II — CONCENTRATIONS SUBJECT TO EC CONTROLS

6 (1) To the extent to which an agreement (either on...

SCHEDULE 2 — Exclusions: Other Competition Scrutiny
   Part I — FINANCIAL SERVICES

...
Section 21(2) agreements

2 (1) The Chapter I prohibition does not apply to an...

EEA Regulated Markets

3 (1) The Chapter I prohibition does not apply to an...

Services of general economic interest etc.

4 Neither the Chapter I prohibition nor the Chapter II prohibition...

Compliance with legal requirements

5 (1) The Chapter I prohibition does not apply to an...

Avoidance of conflict with international obligations

6 (1) If the Secretary of State is satisfied that, in...

Public policy

7 (1) If the Secretary of State is satisfied that there...

Coal and steel

8 (1) The Chapter I prohibition does not apply to an...

Agricultural products

9 (1) The Chapter I prohibition does not apply to an...

SCHEDULE 4 — Professional Rules

Part I — EXCLUSION

General

1 Professional Rules

Designated rules

2 Professional Rules

Application for designation

3 Professional Rules

Alterations

4 Professional Rules

Reviewing the list

5 Professional Rules

Removal from the list

6 Professional Rules
Inspection

7 Professional Rules
   Part II — PROFESSIONAL SERVICES

Legal

8 Professional Rules

Medical

9 Professional Rules

Dental

10 Professional Rules

Ophthalmic

11 Professional Rules

Veterinary

12 Professional Rules

Nursing

13 Professional Rules

Midwifery

14 Professional Rules

Physiotherapy

15 Professional Rules

Chiropody

16 Professional Rules

Architectural

Accounting and auditing

18 Professional Rules

Insolvency

19 Professional Rules

Patent agency

20 Professional Rules

21 Professional Rules
Parliamentary agency

22 Professional Rules

Surveying

23 Professional Rules

Engineering and technology et cetera etc.

24 Professional Rules

Educational

25 Professional Rules

Religious

26 Professional Rules

SCHEDULE 5 — Notification under Chapter I: Procedure

Terms used

1 In this Schedule— “applicant” means the person making...

General rules about applications

2 (1) An application must be made in accordance with rules....

Preliminary investigation

3 (1) If, after a preliminary investigation of an application, the...

Procedure on application for guidance

4 When determining an application for guidance, the OFT must follow...

Procedure on application for a decision

5 (1) When determining an application for a decision, the OFT...

Publication of decisions

6 If the OFT determines an application for a decision it...

Delay by the OFT

7 (1) This paragraph applies if the court is satisfied, on...

SCHEDULE 6 — Notification under Chapter II: Procedure

Terms used

1 In this Schedule— “applicant” means the person making...

General rules about applications

2 (1) An application must be made in accordance with rules....
Preliminary investigation
3 (1) If, after a preliminary investigation of an application, the...

Procedure on application for guidance
4 When determining an application for guidance, the OFT must follow...

Procedure on application for a decision
5 (1) When determining an application for a decision, the OFT...

Publication of decisions
6 If the OFT determines an application for a decision it...

Delay by the OFT
7 (1) This paragraph applies if the court is satisfied, on...

SCHEDULE 6A — COMMITMENTS
PART 1 — PROCEDURAL REQUIREMENTS FOR THE ACCEPTANCE AND VARIATION OF COMMITMENTS
1 Paragraph 2 applies where the CMA proposes to—
2 (1) Before accepting the commitments or variation, the CMA must—...
3 (1) The CMA must not accept the commitments or variation...
4 If, after giving notice under paragraph 2 or 3 the...
5 The requirements of paragraph 3 shall not apply if the...
6 The requirements of paragraph 3 shall not apply if the...
7 As soon as practicable after accepting commitments or a variation...
8 A notice under paragraph 2 or 3 shall be given...

PART 2 — PROCEDURAL REQUIREMENTS FOR THE RELEASE OF COMMITMENTS
10 Paragraph 11 applies where the CMA proposes to release any...
11 (1) Before releasing the commitments, the CMA must—
12 If after giving notice under paragraph 11 the CMA decides...
13 As soon as practicable after releasing the commitments, the CMA...
14 A notice under paragraph 11 or 12 shall be given...

SCHEDULE 7 — The Competition Commission
Part I — GENERAL

Interpretation
1 In this Schedule— “the 1973 Act” means the Fair Trading...

Membership of the Commission
2 (1) The Commission is to consist of—

Chairman and deputy chairmen
3 (1) The Commission is to have a chairman appointed by...

President
4 The Competition Commission
The Council

5 (1) The Commission is to have a management board to...

Term of office

6 (1) Subject to the provisions of this Schedule, each member...

Expenses, remuneration and pensions

7 (1) The Secretary of State shall pay to the Commission...

The Commission's powers

7A The Commission may publish advice and information in relation to...

8 Subject to the provisions of this Schedule, the Commission has...

Staff

9 (1) The Commission is to have a secretary, appointed by...

Procedure

10 Subject to any provision made by or under this Act,...

Application of seal and proof of instruments

11 (1) The application of the seal of the Commission must...

Accounts

12 (1) The Commission must— (a) keep proper accounts and proper...

Annual reports

12A (1) The Commission shall make to the Secretary of State...

Status

13 (1) The Commission is not to be regarded as the...

Part II — PERFORMANCE OF THE COMMISSION’S GENERAL FUNCTIONS

Interpretation

14 In this Part of this Schedule “group” means a group...

Discharge of certain functions by groups

15 (1) Except where sub-paragraph (7) or (8) gives the Chairman...

Chairmen of groups

16 The Chairman must appoint one of the members of a...

Replacement of member of group

17 (1) If, during the proceedings of a group—
Attendance of other members

18 (1) At the invitation of the chairman of a group,...

Procedure

19 (1) Subject to any special or general directions given by...
19A (1) The Chairman must make rules of procedure in relation...

Effect of exercise of functions by group

20 (1) Subject to sub-paragraph (2) sub-paragraphs (2) to (9), anything...

Casting votes

21 The chairman of a group is to have a casting...

Newspaper merger references

22 There are to be members of the Commission appointed by...
Part III — APPEALS

Interpretation

23 The Competition Commission

Training of appeal panel members

24 The Competition Commission

Acting President

25 The Competition Commission

Panel of tribunal chairmen

26 The Competition Commission

Constitution of tribunals

27 The Competition Commission
Part IV — MISCELLANEOUS

Disqualification of members for House of Commons

28 In Part II of Schedule 1 to the House of...

Disqualification of members for Northern Ireland Assembly

29 In Part II of Schedule 1 to the Northern Ireland...
Part V — TRANSITIONAL PROVISIONS

Interpretation

30 In this Part of this Schedule— “commencement date” means the...

Chairman

31 (1) The person who is Chairman of the MMC immediately...
Deputy chairmen

32 The persons who are deputy chairmen of the MMC immediately...

Reporting panel members

33 (1) The persons who are members of the MMC immediately...

Specialist panel members

34 (1) The persons who are members of the MMC immediately...

Secretary

35 The person who is the secretary of the MMC immediately...

Council

36 (1) The members who become deputy chairmen of the Commission...

SCHEDULE 7A — the competition commission: procedural rules for mergers and market references etc.

1 In this Schedule— “market investigation” means an investigation...

2 Rules may make provision— (a) for particular stages of a...

3 Rules made by virtue of paragraph 2(a) and (b) may,...

4 Rules made by virtue of paragraph 2(c) may, in particular,...

5 Rules may make provision as to the quorum of relevant...

6 Rules may make provision— (a) as to the extent (if...

7 Rules may make provision for— (a) the notification or publication...

SCHEDULE 8 — Appeals

Part I — GENERAL

Interpretation

1 Appeals

General procedure

2 (1) An appeal to the Tribunal under section 46, 47...

Decisions of the tribunal

3 (A1) This paragraph applies to any appeal under section 46...

3A (1) This paragraph applies to— (a) any appeal under section...

3B (1) This paragraph applies to an appeal under section 49D(3)....

4 Appeals

Part II — RULES

Registrar of Appeal Tribunals

5 Appeals

Notice of appeal

6 Appeals
Response to the appeal

7 Appeals

Pre-hearing reviews and preliminary matters

8 Appeals

Conduct of the hearing

9 Appeals

Interest

10 Appeals

Fees

11 Appeals

Withdrawing an appeal

12 Appeals

Interim orders

13 Appeals

Miscellaneous

14 Appeals

SCHEDULE 8A — Further Provision about Claims in Respect of Loss or Damage Before a Court or the Tribunal

Part 1 — INTERPRETATION

1 This Part of this Schedule contains definitions and other provisions...
2 Competition law etc
3 Competition authority etc
4 Cartels
5 Settlement submission to a competition authority
6 Consensual dispute resolution process
7 Other definitions

Part 2 — PASSING ON

8 Overcharges and underpayments
9 Burden of proof where an overcharge is passed on to an indirect purchaser
10 Burden of proof where an underpayment is passed on to an indirect provider
11 Burden of proof where an overcharge or underpayment is passed on by the claimant

Part 3 — SMALL AND MEDIUM-SIZED ENTERPRISES

12 Liability of small and medium-sized enterprises

Part 4 — CARTELS

13 Presumption that cartels cause harm
14 Immunity recipients
15 Liability of immunity recipients
16 Contribution between participants in cartels
Part 5 — LIMITATION AND PRESCRIPTIVE PERIODS
17 Time limits for bringing competition proceedings
18 Length of limitation or prescriptive period
19 Beginning of limitation or prescriptive period
20 Effect of disability on beginning of limitation period: England and Wales and Northern Ireland
21 Suspension during investigation by competition authority
22 Suspension during consensual dispute resolution process
23 Suspension during collective proceedings
24 Suspension of prescriptive period during period of disability: Scotland
25 Continuity of limitation or prescriptive period
26 New claims in pending actions: England and Wales and Northern Ireland

Part 6 — DISCLOSURE ETC
27 Disclosure orders
28 Restriction in relation to settlement submissions and cartel leniency statements
29 Restriction in relation to investigation materials
30 Restriction in relation to material in a competition authority’s file
31 Power of High Court in Northern Ireland to order disclosure etc by non-parties

Part 7 — USE OF EVIDENCE
32 Cartel leniency statements and settlement submissions
33 Investigation materials
34 Material obtained from a competition authority’s file
35 Decisions of member State competition authorities

Part 8 — EXEMPLARY DAMAGES
36 Exemplary damages

Part 9

CONTRIBUTION AND CONSENSUAL SETTLEMENTS

37 Consensual settlement
38 Assessment of contribution
39 Effect of consensual settlement on the amount of a claim
40 Effect of consensual settlement for the settling infringer
41 Effect of consensual settlement on contribution between defendants

Part 10 — APPLICATION
42 (1) Parts 2 to 5, 8 and 9 of this...
43 The following provisions of this Schedule apply only in relation...
44 In this Part of this Schedule “the relevant day” means...

SCHEDULE 9 — CMA's Rules

General
1 In this Schedule “rules” means rules made by the CMA...

Delegation of functions
1A (1) Rules may provide for the exercise of a function...
Applications

2 Rules may make provision— (a) as to the form and...

Provisional decisions

3 Rules may make provision as to the procedure to be...

Guidance

4 Rules may make provision as to— (a) the form and...

Decisions

5 (1) Rules may make provision as to—

Individual exemptions

6 Rules may make provision as to— (a) the procedure to...

7 Rules may make provision as to— (a) the form and...

Block exemptions

8 Rules may make provision as to— (a) the procedure to...

Parallel exemptions

9 Rules may make provision as to— (a) the circumstances in...

Section 11 exemptions

10 Rules may, with respect to any exemption provided by regulations...

Directions withdrawing exclusions

11 Rules may make provision as to the factors which the...

Disclosure of information

12 (1) Rules may make provision as to the circumstances in...

Applications under section 47

13 Rules may make provision as to— (a) the period within...

Oral hearings: procedure

13A (1) Rules may make provision as to the procedure to...

Procedural complaints

13B (1) Rules may make provision as to arrangements to be...

Settling cases

13C Rules may make provision as to the procedure to be...

Enforcement

14 Rules may make provision as to the procedure to be...
SCHEDULE 10 — Regulators

Part I — MONOPOLIES

1 The amendments of the Fair Trading Act 1973 made by...

Part II — THE PROHIBITIONS

Telecommunications

2 (1) In consequence of the repeal by this Act of...

Gas

3 (1) In consequence of the repeal by this Act of...

Electricity

4 (1) In consequence of the repeal by this Act of...

Water

5 (1) In consequence of the repeal by this Act of...

Railways

6 (1) In consequence of the repeal by this Act of...

Part III — THE PROHIBITIONS: NORTHERN IRELAND

Electricity

7 (1) In consequence of the repeal by this Act of...

Gas

8 (1) In consequence of the repeal by this Act of...

Part IV — UTILITIES: MINOR AND CONSEQUENTIAL AMENDMENTS

The Telecommunications Act 1984 (c.12)

9 (1) The Telecommunications Act 1984 is amended as follows.

The Gas Act 1986 (c.44)

10 (1) The Gas Act 1986 is amended as follows.

The Water Act 1989 (c.15)

11 In section 174(3) of the Water Act 1989 (general restrictions...

The Electricity Act 1989 (c.29)

12 (1) The Electricity Act 1989 is amended as follows.

The Water Industry Act 1991 (c.56)

13 (1) The Water Industry Act 1991 is amended as follows....

The Water Resources Act 1991 (c.57)

14 In Schedule 24 to the Water Resources Act 1991 (disclosure...
The Railways Act 1993 (c.43)

15 (1) The Railways Act 1993 is amended as follows.

The Channel Tunnel Rail Link Act 1996 (c.61)

16 (1) The Channel Tunnel Rail Link Act 1996 is amended...

Part V — MINOR AND CONSEQUENTIAL AMENDMENTS: NORTHERN IRELAND

The Electricity (Northern Ireland) Order 1992

17 (1) The Electricity (Northern Ireland) Order 1992 is amended as...

The Gas (Northern Ireland) Order 1996

18 (1) The Gas (Northern Ireland) Order 1996 is amended as...

SCHEDULE 11 — Interpretation of Section 55

Relevant functions

1 Interpretation of Section 55

Designated persons

2 Interpretation of Section 55

SCHEDULE 12 — Minor and Consequential Amendments

The Fair Trading Act 1973 (c.41)

1 (1) The Fair Trading Act 1973 is amended as follows....

The Energy Act 1976 (c.76)

2 In the Energy Act 1976, omit section 5 (temporary relief...)

The Estate Agents Act 1979 (c.38)

3 In section 10(3) of the Estate Agents Act 1979 (restriction...)

The Competition Act 1980 (c.21)

4 (1) The Competition Act 1980 is amended as follows.


5 In Schedule 6 to the Magistrates’ Courts (Northern Ireland) Order...

Agricultural Marketing (Northern Ireland) Order 1982 (S.I. 1982/1080 (N.I. 12))

6 In Schedule 8 to the Agricultural Marketing (Northern Ireland) Order...

The Airports Act 1986 (c.31)

7 (1) The Airports Act 1986 is amended as follows.

The Agriculture Act 1986 (c.17)

8 (1) The Agriculture Act 1986 is amended as follows.

The Transport Act 1986 (c.20)

9 (1) The Transport Act 1986 is amended as follows.
8 In Schedule 11 to the Financial Services Act 1986, in...


9 In Part II of Schedule 1 to the Companies Consolidation...

The Consumer Protection Act 1987 (c.43)

10 In section 38(3) of the Consumer Protection Act 1987 (restrictions...

The Channel Tunnel Act 1987 (c.53)

11 In section 33 of the Channel Tunnel Act 1987—

The Road Traffic (Consequential Provisions) Act 1988 (c.54)

12 In Schedule 3 to the Road Traffic (Consequential Provisions) Act...

The Companies Act 1989 (c.40)

13 In Schedule 20 to the Companies Act 1989 (amendments about...

The Broadcasting Act 1990 (c.42)

14 . . . . . . . . . . .

The Tribunals and Inquiries Act 1992 (c.53)

15 In Schedule 1 to the Tribunals and Inquiries Act 1992...

The Osteopaths Act 1993 (c.21)

16 Section 33 of the Osteopaths Act 1993 (competition and anti-competitive...

The Chiropractors Act 1994 (c.17)

17 Section 33 of the Chiropractors Act 1994 (competition and anti-competitive...

The Coal Industry Act 1994 (c.21)

18 In section 59(4) of the Coal Industry Act 1994 (information...

The Deregulation and Contracting Out Act 1994 (c.40)

19 (1) The Deregulation and Contracting Out Act 1994 is amended...


20 (1) The Airports (Northern Ireland) Order 1994 is amended as...

The Broadcasting Act 1996 (c.55)

21 In section 77 of the Broadcasting Act 1996 (which modifies...

SCHEDULE 13 — Transitional Provisions and Savings
Part I — GENERAL

Interpretation
1 (1) In this Schedule— “RPA” means the Resale Prices Act...

General power to make transitional provision and savings
2 (1) Nothing in this Schedule affects the power of the...

Advice and information
3 (1) The Director may publish advice and information explaining provisions...

Part II — DURING THE INTERIM PERIOD

Block exemptions
4 (1) The Secretary of State may, at any time during...

Certain agreements to be non-notifiable agreements
5 An agreement which— (a) is made during the interim period,...

Application of RTPA during the interim period
6 In relation to agreements made during the interim period—

Guidance
7 (1) Sub-paragraphs (2) to (4) apply in relation to agreements...

Part III — ON THE STARTING DATE

Applications which fall
8 (1) Proceedings in respect of an application which is made...

Orders and approvals which fall
9 (1) An order in force immediately before the starting date...

Part IV — ON AND AFTER THE STARTING DATE

CHAPTER I

GENERAL

Duty of Director to maintain register etc.
10 (1) This paragraph applies even though the relevant provisions of...

RTPA section 3 applications
11 (1) Even though section 3 of the RTPA is repealed...

RTPA section 26 applications
12 (1) Even though section 26 of the RTPA is repealed...
Right to bring civil proceedings

13  (1) Even though section 35 of the RTPA is repealed...

CHAPTER II

CONTINUING PROCEEDINGS

The general rule

14  (1) The Chapter I prohibition does not apply to an...

Meaning of “continuing proceedings”

15  (1) For the purposes of this Schedule “continuing proceedings” means...

RTPA section 4 proceedings

16  Proceedings on an application for an order under section 4...

RPA section 16 or 17 proceedings

17  Proceedings on an application for an order under section 16...

Continuing proceedings which are discontinued

18  (1) On an application made jointly to the Court by...

CHAPTER III

THE TRANSITIONAL PERIOD

The general rule

19  (1) Except where this Chapter or Chapter IV provides otherwise,...

Cases for which there is no transitional period

20  (1) There is no transitional period for an agreement to...

Continuing proceedings under the RTPA

21  In the case of an agreement which is the subject...

Continuing proceedings under the RPA

22  (1) In the case of an agreement relating to goods...

Provisions not contrary to public interest

23  (1) To the extent to which an agreement contains provisions...

Goods

24  (1) In the case of an agreement relating to goods...

Transitional period for certain agreements

25  (1) This paragraph applies to agreements— (a) which are subject...
Special cases
26  (1) In the case of an agreement in respect of...

CHAPTER IV

THE UTILITIES

General
27  In this Chapter “the relevant period” means the period beginning...

Electricity
28  (1) For an agreement to which, immediately before the starting...

Electricity: power to make transitional orders
29  (1) There is a transitional period for an agreement (whether...

Gas
30  (1) For an agreement to which, immediately before the starting...

Gas: power to make transitional orders
31  (1) There is a transitional period for an agreement of...

Gas: Northern Ireland
32  (1) For an agreement to which, immediately before the starting...

Gas: Northern Ireland – power to make transitional orders
33  (1) There is a transitional period for an agreement of...

Railways
34  (1) In this paragraph— “section 131” means section 131 of...

The regulators
35  (1) Subject to sub-paragraph (3), each of the regulators may...

CHAPTER V

EXTENDING THE TRANSITIONAL PERIOD
36  (1) A party to an agreement for which there is...

CHAPTER VI

TERMINATING THE TRANSITIONAL PERIOD

General
37  (1) Subject to sub-paragraph (2), the Director may by a...
Circumstances in which the Director may terminate the transitional period

38  (1) If the Director is considering whether to give a...

Procedural requirements on giving a paragraph 37 direction

39  (1) The Director must specify in a direction under paragraph...

Part V — THE FAIR TRADING ACT 1973

References to the Monopolies and Mergers Commission

40  (1) If, on the date on which the repeal by...

Orders under Schedule 8

41  (1) In this paragraph— “the 1973 Act” means the Fair...

Part III of the Act

42  (1) The repeals made by section 1 do not affect...

Part VI — THE COMPETITION ACT 1980

Undertakings

43  (1) Subject to sub-paragraph (2), an undertaking accepted by the...

Application of sections 25 and 26

44  The repeals made by section 1 do not affect—

Part VII — MISCELLANEOUS

Disclosure of information

45  (1) Section 55 of this Act applies in relation to...

The Court

46  If it appears to the Lord Chancellor that a person...

SCHEDULE 14 — Repeals and Revocations

Part I — REPEALS

Part II — REVOCATIONS
Competition Act 1998 (c. 41)

Document Generated: 2019-10-25

Changes to legislation:
Competition Act 1998 is up to date with all changes known to be in force on or before 25 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

- s. 10 heading words substituted by S.I. 2019/93 reg. 3(2)
- Pt. 2 omitted by S.I. 2019/93 reg. 24
- Pt. 2A omitted by S.I. 2019/93 reg. 24
- s. 10(1) omitted by S.I. 2019/93 reg. 3(4)
- s. 10(2) omitted by S.I. 2019/93 reg. 3(4)
- s. 10(3) words substituted by S.I. 2019/93 reg. 3(5)
- s. 10(4) words substituted by S.I. 2019/93 reg. 3(6)(a)
- s. 10(4)(a) omitted by S.I. 2019/93 reg. 3(6)(b)
- s. 10(4)(b) words substituted by S.I. 2019/93 reg. 3(6)(c)
- s. 10(5)(a) words inserted by S.I. 2019/93 reg. 3(7)(a)(ii)
- s. 10(5)(a) words substituted by S.I. 2019/93 reg. 3(7)(a)(i)
- s. 10(5)(d) words inserted by S.I. 2019/93 reg. 3(7)(b)
- s. 10(9)-(11) omitted by S.I. 2019/93 reg. 3(8)
- s. 11 omitted by S.I. 2019/93 reg. 5
- s. 25(3) omitted by S.I. 2019/93 reg. 6(2)
- s. 25(5) omitted by S.I. 2019/93 reg. 6(2)
- s. 25(7) omitted by S.I. 2019/93 reg. 6(2)
- s. 25(8)(a) words substituted by S.I. 2019/93 reg. 6(3)
- s. 25(9) omitted by S.I. 2019/93 reg. 6(4)
- s. 25(10) words substituted by S.I. 2019/93 reg. 6(5)
- s. 25(11) omitted by S.I. 2019/93 reg. 6(6)
- s. 25(12) words omitted by S.I. 2019/93 reg. 6(7)
- s. 25A(1)(b) words substituted by S.I. 2019/93 reg. 7
- s. 31(2)(a) word inserted by S.I. 2019/93 reg. 8(a)
- s. 31(2)(c) omitted by S.I. 2019/93 reg. 8(b)
- s. 31(2)(d) omitted by S.I. 2019/93 reg. 8(b)
- s. 32 modified by 1991 c. 56, s. 110A(7)(a) (as substituted) by 2014 c. 21 s. 9(1)
- s. 32 modified by 1991 c. 56, s. 110B(5)(a) (as substituted) by 2014 c. 21 s. 9(1)
- s. 32(1) words omitted by S.I. 2019/93 reg. 9
- s. 33(1) words omitted by S.I. 2019/93 reg. 10
- s. 35(1) words substituted by S.I. 2019/93 reg. 11(a)
- s. 35(2) modified by 1991 c. 56, s. 110A(7)(b)(8) (as substituted) by 2014 c. 21 s. 9(1)
- s. 35(2) modified by 1991 c. 56, s. 110B(5)(b) (as substituted) by 2014 c. 21 s. 9(1)
- s. 35(6) words substituted by S.I. 2019/93 reg. 11(b)
- s. 35(7) words substituted by S.I. 2019/93 reg. 11(c)
- s. 35(9) omitted by S.I. 2019/93 reg. 11(d)
- s. 36(1) words omitted by S.I. 2019/93 reg. 12(a)
- s. 36(2) words omitted by S.I. 2019/93 reg. 12(b)
- s. 36(7A)(b)(i) words omitted by S.I. 2019/93 reg. 12(c)(i)
- s. 36(7A)(b)(ii) words omitted by S.I. 2019/93 reg. 12(c)(ii)
- s. 38(1) words substituted by S.I. 2019/93 reg. 13(a)
- s. 38(1A) omitted by S.I. 2019/93 reg. 13(b)
- s. 38(9) omitted by S.I. 2019/93 reg. 13(c)
- s. 38(10) omitted by S.I. 2019/93 reg. 13(c)
- s. 40A(1) words substituted by S.I. 2019/93, reg. 13A (as inserted) by S.I. 2019/1245 reg. 4
- s. 46(3)(b) omitted by S.I. 2019/93 reg. 14(a)
- s. 46(3)(d) omitted by S.I. 2019/93 reg. 14(a)
- s. 46(3)(e) words substituted by S.I. 2019/93 reg. 14(b)
– s. 46(3)(f) omitted by S.I. 2019/93 reg. 14(c)
– s. 47(1)(a) words substituted by S.I. 2019/93 reg. 15 (This amendment not applied to legislation.gov.uk. Reg. 15 substituted immediately before exit day by S.I. 2019/1245, regs. 1(3), 6)
– s. 47(1)(a) words substituted by S.I. 2019/93, reg. 15(a) (as substituted) by S.I. 2019/1245 reg. 6
– s. 47A(2)(a) word inserted by S.I. 2019/93 reg. 16(2)(a)
– s. 47A(2)(c) omitted by S.I. 2019/93 reg. 16(2)(b)
– s. 47A(2)(d) omitted by S.I. 2019/93 reg. 16(2)(b)
– s. 47A(6) substituted by S.I. 2019/93 reg. 16(3)
– s. 49C(11) words substituted by S.I. 2019/93 reg. 17
– s. 52(1A) omitted by S.I. 2019/93 reg. 18
– s. 58(2) words omitted by S.I. 2019/93 reg. 19(2)(a)
– s. 58(2) words omitted by S.I. 2019/93 reg. 19(2)(b)
– s. 58(2) words omitted by S.I. 2019/93 reg. 19(3)(a)
– s. 58(2) words omitted by S.I. 2019/93 reg. 19(3)(b)
– s. 58A(4) omitted by S.I. 2019/93 reg. 20
– s. 59(1) word substituted by S.I. 2019/93 reg. 21(3)
– s. 59(1) words inserted by S.I. 2019/93 reg. 21(4)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(a)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(b)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(c)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(d)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(e)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(f)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(g)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(h)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(i)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(j)
– s. 59(1) words omitted by S.I. 2019/93 reg. 21(2)(k)
– s. 60 omitted by S.I. 2019/93 reg. 22
– s. 72(1) words omitted by S.I. 2019/93 reg. 25
– s. 73(4) words omitted by S.I. 2019/93 reg. 26(2)(a)
– s. 73(4)(a) words omitted by S.I. 2019/93 reg. 26(2)(b)
– s. 73(4)(b) words substituted by S.I. 2019/93 reg. 26(2)(c)
– s. 73(6) omitted by S.I. 2019/93 reg. 26(3)
– s. 73(6A) words substituted by S.I. 2019/93 reg. 26(4)
– s. 73(8)(a) words omitted by S.I. 2019/93 reg. 26(5)(a)
– s. 73(8)(b) words substituted by S.I. 2019/93 reg. 26(5)(b)
– s. 75A omitted by S.I. 2019/93 reg. 27
– Sch. 1 Pt. 2 omitted by S.I. 2019/93 reg. 28
– Sch. 2 para. 3 repealed by 2004 c. 27 Sch. 8
– Sch. 3 para. 9 applied by Regulation (EC) No. 1379/2013, Art. 41(4) (as inserted) by S.I. 2019/739 reg. 19(31)(d)
– Sch. 3 para. 5(3)(b) omitted by S.I. 2019/93 reg. 29(3)
– Sch. 3 para. 5(3)(c) omitted by S.I. 2019/93 reg. 29(3)
– Sch. 3 para. 3 and cross-heading omitted by S.I. 2019/93 reg. 29(2)
– Sch. 6A para. 7 words inserted by S.I. 2019/93, reg. 29A(3) (as inserted) by S.I. 2019/1245 reg. 7
– Sch. 7 para. 2(1)(d)(iii) substituted by 2003 c. 21 Sch. 17 para. 153(2) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 21(1)(d)(iii) was fully repealed (29.12.2003) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11))
– Sch. 7 para. 19A words omitted by 2012 c. 19 Sch. 9 para. 9
– Sch. 8A para. 21(3) modified by S.I. 2019/93 Sch. 4 para. 7(4)(b) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 7(4) omitted immediately before exit day by virtue of S.I. 2019/1245, regs. 1(3), 35(3)(b))
Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
– Blanket Amendment words substituted by 2005 c. 4 Sch. 11 para. 5

Whole provisions yet to be inserted into this Act (including any effects on those provisions):
– s. 10(A1) inserted by S.I. 2019/93 reg. 3(3)
– s. 10(12) inserted by S.I. 2019/93 reg. 3(9)
– s. 10A inserted by S.I. 2019/93 reg. 4
– s. 31G-31L and cross-heading inserted by S.I. 2019/93, reg. 8A (as inserted) by S.I. 2019/1245 reg. 3
– s. 46(3)(ha)(hb) inserted by S.I. 2019/93, reg. 14(d) (as inserted) by S.I. 2019/1245 reg. 5
– s. 47(1)(ca) inserted by S.I. 2019/93, reg. 15(b) (as substituted) by S.I. 2019/1245 reg. 6
– s. 60A inserted by S.I. 2019/93 reg. 23
– Sch. 6A para. 1A inserted by S.I. 2019/93, reg. 29A(2) (as inserted) by S.I. 2019/1245 reg. 7
– Sch. 6A Pt. 3 inserted by S.I. 2019/93, reg. 29A(4) (as inserted) by S.I. 2019/1245 reg. 7
- Sch. 8A para. 12(6) inserted by S.I. 2019/93 reg. 30(4)(b)