

Status: Point in time view as at 11/01/1999.

Changes to legislation: Competition Act 1998, Cross Heading: The Gas (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 23 May 2024. 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. (See end of Document for details)

SCHEDULES

SCHEDULE 10

REGULATORS

PART V

MINOR AND CONSEQUENTIAL AMENDMENTS: NORTHERN IRELAND

The Gas (Northern Ireland) Order 1996

- 18 (1) The ^{M1}Gas (Northern Ireland) Order 1996 is amended as follows.
- (2) In Article 15 (modification references to the Competition Commission), for paragraph (9) substitute—
- “(9) The provisions mentioned in paragraph (9A) are to apply in relation to references under this Article as if—
- (a) the functions of the Competition Commission in relation to those references were functions under the 1973 Act;
 - (b) “merger reference” included a reference under this Article;
 - (c) in section 70 of the 1973 Act—
 - (i) references to the Secretary of State were references to the Director, and
 - (ii) the reference to three months were a reference to six months.
- (9A) The provisions are—
- (a) sections 70 (time limit for report on merger) and 85 (attendance of witnesses and production of documents) of the 1973 Act;
 - (b) Part II of Schedule 7 to the Competition Act 1998 (performance of the Competition Commission’s general functions); and
 - (c) section 24 of the 1980 Act (modification of provisions about performance of such functions).”
- (3) In Article 16, omit paragraph (2) (which falls with the repeal of the Restrictive Trade Practices Act 1976).
- (4) In Article 18 (modification by order under other statutory provisions)—
- (a) in paragraph (1), omit sub-paragraph (b) and the “or” immediately before it;
 - (b) in paragraph (3)—
 - (i) after sub-paragraph (a), insert “ or ”;
 - (ii) omit sub-paragraph (c) and the “or” immediately before it;
 - (c) in paragraph (5), omit “or the 1980 Act”.
- (5) In Article 19 (orders for securing compliance), in paragraph (5), after sub-paragraph (b), omit “or” and after sub-paragraph (c), insert “or

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- (d) that the most appropriate way of proceeding is under the Competition Act 1998.”
- (6) In Article 44(4) (general restrictions on disclosure of information)—
- (a) omit sub-paragraphs (f) and (g) (which refer to the Restrictive Trade Practices Act 1976 and the ^{M2}Resale Prices Act 1976);
- (b) after sub-paragraph (u), add—
- “(v) the Competition Act 1998”.
- (7) At the end of Article 44, insert—
- “(8) Information obtained by the Director in the exercise of functions which are exercisable concurrently with the Director General of Fair Trading under Part I of the Competition Act 1998 is subject to sections 55 and 56 of that Act (disclosure) and not to paragraphs (1) to (7).”

Commencement Information

- I1** Sch. 10 para. 18 partly in force; Sch. 10 para. 18 not in force at Royal Assent see s. 76(3); Sch. 10 para. 18(6)(b) in force at 11.1.1999 by S.I. 1998/3166, art. 2, **Sch.**; Sch. 10 para. 18(1)(2) in force at 1.4.1999 by S.I. 1999/505, art. 2, **Sch. 2**; Sch. 10 para. 18(3)-(5)(6)(a) and (7) in force at 1.3.2000 by S.I. 2000/344, art. 2, **Sch.**

Marginal Citations

- M1** S.I. 1996/275 (N.I. 2).
M2 1976 c. 53.

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