
Status: Point in time view as at 11/01/1999. This version of this chapter contains provisions that are not valid for this point in time.

Changes to legislation: Competition Act 1998, Chapter I is up to date with all changes known to be in force on or before 27 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 13

TRANSITIONAL PROVISIONS AND SAVINGS

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- 10 (1) This paragraph applies even though the relevant provisions of the RTPA are repealed by this Act.
- (2) The Director is to continue on and after the starting date to be under the duty imposed by section 1(2)(a) of the RTPA to maintain a register in respect of agreements—
- (a) particulars of which are, on the starting date, entered or filed on the register;
 - (b) which fall within sub-paragraph (4);
 - (c) which immediately before the starting date are the subject of proceedings under the RTPA which do not cease on that date by virtue of this Schedule; or
 - (d) in relation to which a court gives directions to the Director after the starting date in the course of proceedings in which a question arises as to whether an agreement was, before that date—
 - (i) one to which the RTPA applied;
 - (ii) subject to registration under that Act;
 - (iii) a non-notifiable agreement for the purposes of that Act.
- (3) The Director is to continue on and after the starting date to be under the duties imposed by section 1(2)(a) and (b) of the RTPA of compiling a register of agreements and entering or filing certain particulars in the register, but only in respect of agreements of a kind referred to in paragraph (b), (c) or (d) of sub-paragraph (2).
- (4) An agreement falls within this sub-paragraph if—
- (a) it is subject to registration under the RTPA but—
 - (i) is not a non-notifiable agreement within the meaning of section 27A of the RTPA, or
 - (ii) is not one to which paragraph 5 applies;
 - (b) particulars of the agreement have been provided to the Director before the starting date; and

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- (c) as at the starting date no entry or filing has been made in the register in respect of the agreement.
- (5) Sections 23 and 27 of the RTPA are to apply after the starting date in respect of the register subject to such modifications, if any, as may be prescribed.
- (6) In sub-paragraph (2)(d) “court” means—
 - (a) the High Court;
 - (b) the Court of Appeal;
 - (c) the Court of Session;
 - (d) the High Court or Court of Appeal in Northern Ireland; or
 - (e) the House of Lords.

Commencement Information

- I1** [Sch. 13 para. 10](#) wholly in force; [Sch. 13 para. 10](#) not in force at Royal Assent see [s. 76\(3\)](#); [Sch. 13 para. 10\(5\)](#) in force at 11.1.1999 by [S.I. 1998/3166, art. 2](#), [Sch.](#) [Sch. 13 para. 10\(1\)-\(4\)](#) and (6) fully in force at 1.3.2000 by [S.I. 2000/344, art. 2](#), [Sch.](#)

RTPA section 3 applications

- 11 (1) Even though section 3 of the RTPA is repealed by this Act, its provisions (and so far as necessary that Act) are to continue to apply, with such modifications (if any) as may be prescribed—
- (a) in relation to a continuing application under that section; or
 - (b) so as to allow an application to be made under that section on or after the starting date in respect of a continuing application under section 1(3) of the RTPA.
- (2) “Continuing application” means an application made, but not determined, before the starting date.

Commencement Information

- I2** [Sch. 13 para. 11](#) partly in force; [Sch. 13 para. 11](#) not in force at Royal Assent see [s. 76\(3\)](#); [Sch. 13 para. 11](#) in force for certain purposes at 11.1.1999 by [S.I. 1998/3166, art. 2](#), [Sch.](#)

RTPA section 26 applications

- 12 (1) Even though section 26 of the RTPA is repealed by this Act, its provisions (and so far as necessary that Act) are to continue to apply, with such modifications (if any) as may be prescribed, in relation to an application which is made under that section, but not determined, before the starting date.
- (2) If an application under section 26 is determined on or after the starting date, this Schedule has effect in relation to the agreement concerned as if the application had been determined immediately before that date.

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Commencement Information

- I3** Sch. 13 para. 12 wholly in force; Sch. 13 para. 12 not in force at Royal Assent see s. 76(3); Sch. 13 para. 12(1) in force for certain purposes at 11.1.1999 by S.I. 1998/3166, art. 2, Sch.; Sch. 13 para. 12(1) and (2) fully in force at 1.3.2000 by S.I. 2000/344, art. 2, Sch.

VALID FROM 01/03/2000

Right to bring civil proceedings

- 13 (1) Even though section 35 of the RTPA is repealed by this Act, its provisions (and so far as necessary that Act) are to continue to apply in respect of a person who, immediately before the starting date, has a right by virtue of section 27ZA or 35(2) of that Act to bring civil proceedings in respect of an agreement (but only so far as that right relates to any period before the starting date or, where there are continuing proceedings, the determination of the proceedings).
- (2) Even though section 25 of the RPA is repealed by this Act, the provisions of that section (and so far as necessary that Act) are to continue to apply in respect of a person who, immediately before the starting date, has a right by virtue of subsection (3) of that section to bring civil proceedings (but only so far as that right relates to any period before the starting date or, where there are continuing proceedings, the determination of the proceedings).

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