

*Status: Point in time view as at 01/04/2006.*

*Changes to legislation: Competition Act 1998, Cross Heading: The regulators 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 13

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART IV

##### ON AND AFTER THE STARTING DATE

##### CHAPTER IV

##### THE UTILITIES

##### *The regulators*

- 35 (1) Subject to sub-paragraph (3), each of the regulators may exercise, in respect of sectoral matters and concurrently with the Director, the functions of the Director under paragraph 3, 7, 19(3), 36, 37, 38 or 39.
- (2) In sub-paragraph (1) “sectoral matters” means—
- <sup>F1</sup>(a) .....
  - (b) in the case of the Director General of Gas Supply, the matters referred to in section 36A(3) and (4) of the <sup>M1</sup>Gas Act 1986;
  - (c) in the case of the Director General of Electricity Supply, the matters referred to in section 43(3) of the <sup>M2</sup>Electricity Act 1989;
  - (d) in the case of the Director General of Electricity Supply for Northern Ireland, the matters referred to in Article 46(3) of the <sup>M3</sup>Electricity (Northern Ireland) Order 1992;
  - (e) in the case of the [<sup>F2</sup>Water Services Regulation Authority], the matters referred to in section 31(3) of the <sup>M4</sup>Water Industry Act 1991;
  - (f) in the case of the Rail Regulator, the matters referred to in section 67(3) of the <sup>M5</sup>Railways Act 1993;
  - (g) in the case of the Director General of Gas for Northern Ireland, the matters referred to in Article 23(3) of the <sup>M6</sup>Gas (Northern Ireland) Order 1996.
  - [<sup>F3</sup>(h) in the case of the Civil Aviation Authority, the supply of air traffic services within the meaning given by section 98 of the Transport Act 2000.]
- (3) The power to give directions in paragraph 7(2) is exercisable by the Director only but if the Director is preparing directions which relate to a matter in respect of which a regulator exercises concurrent jurisdiction, he must consult that regulator.

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- (4) Consultations conducted by the Director before the enactment date, with a view to preparing directions which have effect on or after that date, are to be taken to satisfy sub-paragraph (3).
- (5) References to enactments in sub-paragraph (2) are to the enactments as amended by or under this Act.

#### Textual Amendments

- F1** Sch. 13 para. 35(2)(a) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 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)
- F2** Words in [Sch. 13 para. 35\(2\)\(e\)](#) substituted (1.4.2006) by [Water Act 2003 \(c. 37\)](#), s. 105(3), [Sch. 7 para. 32\(5\)](#); [S.I. 2005/2714](#), art. 4(f)
- F3** [Sch. 13 para. 35\(2\)\(h\)](#) inserted (1.2.2001) by [2000 c. 38](#), ss. 97, [Sch. 8 Pt. IV para. 16\(3\)](#) (with s. 106); [S.I. 2001/57](#), art. 3, [Sch. 2 Pt. I](#)

#### Marginal Citations

- M1** 1986 c. 44.  
**M2** 1989 c. 29.  
**M3** [S.I. 1992/231 \(N.I.1\)](#).  
**M4** 1991 c. 56.  
**M5** 1993 c. 43.  
**M6** [S.I. 1996/275 \(N.I.2\)](#).

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