



Competition Act 1998

1998 CHAPTER 41

PART I

COMPETITION

CHAPTER V

MISCELLANEOUS

Regulators

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- (1) In this Part “regulator” means any person mentioned in paragraphs (a) to (g) of paragraph 1 of Schedule 10.
- (2) Parts II and III of Schedule 10 provide for functions of the Director under this Part to be exercisable concurrently by regulators.
- (3) Parts IV and V of Schedule 10 make minor and consequential amendments in connection with the regulators' competition functions.
- (4) The Secretary of State may make regulations for the purpose of co-ordinating the performance of functions under this Part (“Part I functions”) which are exercisable concurrently by two or more competent persons as a result of any provision made by Part II or III of Schedule 10.
- (5) The regulations may, in particular, make provision—
 - (a) as to the procedure to be followed by competent persons when determining who is to exercise Part I functions in a particular case;
 - (b) as to the steps which must be taken before a competent person exercises, in a particular case, such Part I functions as may be prescribed;

Status: This is the original version (as it was originally enacted).

- (c) as to the procedure for determining, in a particular case, questions arising as to which competent person is to exercise Part I functions in respect of the case;
 - (d) for Part I functions in a particular case to be exercised jointly—
 - (i) by the Director and one or more regulators, or
 - (ii) by two or more regulators,and as to the procedure to be followed in such cases;
 - (e) as to the circumstances in which the exercise by a competent person of such Part I functions as may be prescribed is to preclude the exercise of such functions by another such person;
 - (f) for cases in respect of which Part I functions are being, or have been, exercised by a competent person to be transferred to another such person;
 - (g) for the person (“A”) exercising Part I functions in a particular case—
 - (i) to appoint another competent person (“B”) to exercise Part I functions on A’s behalf in relation to the case; or
 - (ii) to appoint officers of B (with B’s consent) to act as officers of A in relation to the case;
 - (h) for notification as to who is exercising Part I functions in respect of a particular case.
- (6) Provision made by virtue of subsection (5)(c) may provide for questions to be referred to and determined by the Secretary of State or by such other person as may be prescribed.
- (7) “Competent person” means the Director or any of the regulators.