



Enterprise Act 2002 (repealed)

2002 CHAPTER 40

PART 6

CARTEL OFFENCE

Cartel offence

189 Cartel offence: supplementary

- (1) For section 188(2)(a), the appropriate circumstances are that A's supply of the product or service would be at a level in the supply chain at which the product or service would at the same time be supplied by B in the United Kingdom.
- (2) For section 188(2)(b), the appropriate circumstances are that A's supply of the product or service would be at a level in the supply chain—
 - (a) at which the product or service would at the same time be supplied by B in the United Kingdom, or
 - (b) at which supply by B in the United Kingdom of the product or service would be limited or prevented by the arrangements.
- (3) For section 188(2)(c), the appropriate circumstances are that A's production of the product would be at a level in the production chain—
 - (a) at which the product would at the same time be produced by B in the United Kingdom, or
 - (b) at which production by B in the United Kingdom of the product would be limited or prevented by the arrangements.
- (4) For section 188(2)(d), the appropriate circumstances are that A's supply of the product or service would be at the same level in the supply chain as B's.
- (5) For section 188(3)(a), the appropriate circumstances are that B's supply of the product or service would be at a level in the supply chain at which the product or service would at the same time be supplied by A in the United Kingdom.

Status: Point in time view as at 01/05/2009. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 189. (See end of Document for details)

- (6) For section 188(3)(b), the appropriate circumstances are that B's supply of the product or service would be at a level in the supply chain—
- (a) at which the product or service would at the same time be supplied by A in the United Kingdom, or
 - (b) at which supply by A in the United Kingdom of the product or service would be limited or prevented by the arrangements.
- (7) For section 188(3)(c), the appropriate circumstances are that B's production of the product would be at a level in the production chain—
- (a) at which the product would at the same time be produced by A in the United Kingdom, or
 - (b) at which production by A in the United Kingdom of the product would be limited or prevented by the arrangements.

Textual Amendments applied to the whole legislation

- F1** Act: for the words "solicitor of the Supreme Court of Northern Ireland" wherever they occur there is substituted (prosp.) the words "solicitor of the Court of Judicature of Northern Ireland" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 5](#) [Editorial Note: this amendment will be carried through into the text of the Act at the same time as any other effects on the Act for the year in which the relevant commencement order (or first such order) is made]

Status:

Point in time view as at 01/05/2009. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 189.