

SCHEDULES

SCHEDULE 4

THE COMPETITION AND MARKETS AUTHORITY

PART 3

THE CMA PANEL

Requirement to make rules of procedure for certain groups

- 51 (1) The CMA Board must make rules of procedure for merger reference groups, market reference groups, and special reference groups.
- (2) Those rules are subject to any provision made by or under any enactment in respect of the procedure of a CMA group.
- (3) Before making rules under this paragraph, the CMA Board must consult such persons as it considers appropriate.
- (4) The CMA Board must publish rules made under this paragraph in whatever manner it considers appropriate for bringing them to the attention of those likely to be affected by them.
- (5) Subject to rules made under this paragraph, and to any provision made by or under any enactment, a CMA group of a type referred to in sub-paragraph (1) may determine its own procedure.
- (6) In this paragraph and paragraph 53—
- (a) “market reference group” means a CMA group constituted in connection with a reference under section 131, 132 or 140A of the Enterprise Act 2002;
 - (b) “merger reference group” means a CMA group constituted in connection with a reference under section 32 of the Water Industry Act 1991 or section 22, 33, 45, or 62 of the Enterprise Act 2002;
 - (c) “special reference group” means a CMA group constituted in connection with a reference under—
 - (i) section 11 of the Competition Act 1980;
 - (ii) section 41E of the Gas Act 1986;
 - (iii) section 56C of the Electricity Act 1989;
 - (iv) section 12, 14 or 17K of the Water Industry Act 1991;
 - (v) article 15 of the Electricity (Northern Ireland) Order 1992 (SI 1992/231 (NI 1));
 - (vi) section 13 of, or Schedule 4A to, the Railways Act 1993;
 - (vii) article 15 of the Gas (Northern Ireland) Order 1996 (SI 1996/275 (NI 2));
 - (viii) section 12 of the Transport Act 2000;

Status: This is the original version (as it was originally enacted).

- (ix) section 193 of the Communications Act 2003;
- (x) article 3 of the Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 ([SI 2005/3172](#)).