

## SCHEDULES

### SCHEDULE 4

#### THE COMPETITION AND MARKETS AUTHORITY

#### PART 4

##### INTERPRETATION AND TRANSITIONAL AND TRANSITORY PROVISION

###### *Interpretation*

- 59 (1) In this Schedule, “enactment” means—
- (a) an enactment contained in this or any other Act;
  - (b) an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978;
  - (c) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;
  - (d) a Measure or Act of the National Assembly for Wales;
  - (e) an enactment contained in, or in an instrument made under, Northern Ireland legislation (within the meaning of the Interpretation Act 1978).
- (2) Any reference in this Schedule to an enactment includes a reference to an enactment whenever passed or made.
- 60 References in this Schedule to the commencement date are to the date on which section 25(3) comes into force.

###### *Members of the Competition Commission*

- 61 (1) This paragraph applies—
- (a) in relation to any appointments under paragraph 1(1)(b) to the CMA panel that are made before the abolition of the Competition Commission under section 26, to any person who is a panel member of the Competition Commission and whose term of office as such is not due to expire before the abolition of the Competition Commission under that section;
  - (b) in relation to any other appointment under paragraph 1(1)(b) to the CMA panel, to a person who was a panel member of the Competition Commission immediately prior to its abolition under section 26.
- (2) A person to whom this paragraph applies may be appointed under paragraph 1(1)(b) as a member of the CMA panel.
- (3) But the terms of the person’s appointment as a member of the CMA panel must not be such that the sum of the period of his or her office as a member of the CMA panel, and of the period of his or her office as a panel member of the Competition

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*Status: This is the original version (as it was originally enacted).*

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Commission (excluding any period when he or she also holds office as a member of the CMA panel), exceeds eight years.

- (4) Paragraph 4(1) applies for the purposes of the person's re-appointment as a member of the CMA panel as it does for the purposes of the re-appointment of a CMA panel member to whom this paragraph does not apply.
- (5) The power conferred by section 100 includes power to make provision for the appointment of panel members of the Competition Commission as members of the CMA panel, or for the re-appointment of persons who are appointed as members of the CMA panel by virtue of sub-paragraph (2), for the purpose of enabling anything in the process of being done by or on behalf of the Competition Commission immediately prior to its abolition to be completed by or on behalf of the CMA; and nothing in sub-paragraphs (1) to (4) restricts the provision that may be made for that purpose.
- 62 Except as provided for by paragraph 61, a person who holds or has held office as a panel member of the Competition Commission at any time prior to its abolition may not be appointed under paragraph 1(1)(b) as a member of the CMA panel.
- 63 References in paragraphs 61 and 62 to a panel member of the Competition Commission are to a person appointed as a member of the Competition Commission of a kind mentioned in paragraph 2(3) of Schedule 7 to the Competition Act 1998.

#### *Financial years of the CMA*

- 64 (1) If the duration of the period beginning with the commencement date and ending with the next 31 March is six months or more, the first financial year of the CMA is that period.
- (2) But if the duration of that period is less than six months, the first financial year of the CMA is the period beginning with the commencement date, and ending with the 31 March in the year following the next 31 March after the commencement date.
- (3) The subsequent financial years of the CMA are each successive period of 12 months.

#### *First annual plan of the CMA*

- 65 (1) The CMA is to publish its first annual plan within the period of three months beginning with the commencement date.
- (2) The first annual plan is to relate to the period beginning with the date of publication of the plan, and ending with the date on which the CMA's first financial year ends.