

SCHEDULES

SCHEDULE 5

AMENDMENTS RELATED TO PART 3

PART 2

TRANSFER OF FUNCTIONS UNDER THE 2002 ACT TO THE CMA

Part 3

105 Before section 63 insert—

“62A Functions to be exercised by CMA groups

Where a reference is made to the chair of the CMA under section 62 for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, the functions of the CMA under or by virtue of the following provisions of this Part in relation to the matter concerned are to be carried out on behalf of the CMA by the group so constituted—

- (a) sections 63 to 65;
- (b) where a reference is treated by virtue of section 64(2) as having been made under section 62(2), section 23(9)(ab) (as it has effect by virtue of section 59(6));
- (c) sections 104, so far as relating to any decision mentioned in paragraph (a)(iii) of the definition of relevant decision in subsection (6) of that section, and 104A;
- (d) section 107, so far as relating to anything done on behalf of the CMA by the group;
- (e) section 109, where the permitted purpose relates to a function that (by virtue of this section) is being or is to be carried out on behalf of the CMA by the group;
- (f) sections 110 to 115, so far as relating to a notice given under section 109 on behalf of the CMA by the group;
- (g) section 118(4);
- (h) section 120(5)(b), so far as relating to a decision of the group.”