



Subsidy Control Act 2022

2022 CHAPTER 23

PART 4

CMA: REFERRALS AND FUNCTIONS

CHAPTER 1

FUNCTIONS ON REFERRALS OF SUBSIDIES AND SCHEMES

Exemptions

63 Referrals in relation to subsidy schemes

The preceding provisions of this Chapter relating to subsidies do not apply to a subsidy given under a subsidy scheme.

Commencement Information

- I1** S. 63 not in force at Royal Assent, see [s. 91\(2\)](#)
I2 [S. 63](#) in force at 4.1.2023 by [S.I. 2022/1359](#), [reg. 2](#)

64 Other exemptions

- (1) This Chapter does not apply in relation to subsidies, or subsidy schemes that provide only for the giving of such subsidies, as described in the following sections—
- (a) section 10 (streamlined subsidy schemes);
 - (b) section 36 (minimal financial assistance);
 - (c) section 38 (SPEI assistance);
 - (d) section 43 (natural disasters and other exceptional circumstances);
 - (e) section 44 (national or global economic emergencies);

Changes to legislation: *There are currently no known outstanding effects for the Subsidy Control Act 2022, Cross Heading: Exemptions. (See end of Document for details)*

- (f) section 45 (national security);
 - (g) section 46 (Bank of England monetary policy);
 - (h) section 48 (legacy and withdrawal agreement subsidies);
 - (i) section 49 (tax measures);
 - (j) section 50 (large cross-border or international cooperation projects).
- (2) This Chapter does not apply in relation to a subsidy, or subsidy scheme—
- (a) to which a financial stability direction given under section 47 (financial stability) applies, or
 - (b) which is otherwise given or made by the Treasury or the Bank of England (or by both acting jointly) only for the reasons mentioned in subsection (3) of that section (prudential reasons).
- (3) The Secretary of State may direct that sections 52, 53, 54 and 55 (mandatory referral requirements) do not apply, or cease to apply, in relation to a specified subsidy or subsidy scheme.
- (4) A direction under subsection (3) may only be given where the Secretary of State is satisfied that there are urgent and exceptional circumstances that justify the direction being given in the public interest.
- (5) A direction given under subsection (3) must be laid before Parliament.
- (6) The Secretary of State—
- (a) must send a direction given under this section to the public authority giving the subsidy or making the subsidy scheme, and
 - (b) must publish the direction in such manner as the Secretary of State considers appropriate.

Commencement Information

- I3** S. 64 not in force at Royal Assent, see [s. 91\(2\)](#)
- I4** [S. 64](#) in force at 4.1.2023 by [S.I. 2022/1359](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Subsidy Control Act 2022, Cross
Heading: Exemptions.