



# Subsidy Control Act 2022

## 2022 CHAPTER 23

### PART 4

#### CMA: REFERRALS AND FUNCTIONS

### CHAPTER 3

#### SUBSIDY ADVICE UNIT

#### **68 Subsidy Advice Unit**

- (1) The CMA must establish a committee of the CMA Board to be known as the Subsidy Advice Unit.
- (2) The CMA Board may authorise the Subsidy Advice Unit under paragraph 29(1) of Schedule 4 to ERRA 2013 to carry out its subsidy control functions (which are exercisable by the CMA Board on behalf of the CMA under paragraph 28 of that Schedule).
- (3) A subsidy control function that the Subsidy Advice Unit is authorised to carry out under subsection (2) may, so far as that Unit authorises (whether generally or specifically), be carried out by—
  - (a) a member or sub-committee of that Unit,
  - (b) a member of the CMA Board, or
  - (c) a member of staff of the CMA.
- (4) The Subsidy Advice Unit may consist only of persons who are members of the CMA or its staff.
- (5) References in this section to the CMA Board are to the Board constituted under Part 2 of Schedule 4 to ERRA 2013.
- (6) In this Chapter—

“ERRA 2013” means the Enterprise and Regulatory Reform Act 2013;

---

***Changes to legislation:** There are currently no known outstanding effects for the Subsidy Control Act 2022, CHAPTER 3. (See end of Document for details)*

---

- “subsidy control functions” means—
- (a) the functions of the CMA under Chapters 1 and 2, and
  - (b) any other functions that the CMA is required or authorised to carry out under or by virtue of this Act.

#### **Commencement Information**

- I1** S. 68 not in force at Royal Assent, see [s. 91](#)  
**I2** [S. 68](#) in force at 4.1.2023 by [S.I. 2022/1359](#), [reg. 2](#)

## **69 References to subsidy control groups**

- (1) The Subsidy Advice Unit may make a reference to the CMA chair for the constitution of a CMA group under Schedule 4 to ERA 2013.
- (2) A reference under this section must specify—
  - (a) the subsidy control functions in respect of which the reference is made (“the referred functions”), and
  - (b) if the reference is made in respect of a particular subsidy or subsidy scheme, details of that subsidy or subsidy scheme (“the referred case”).
- (3) A CMA group constituted for the purposes of a reference under this section must carry out, on behalf of the Subsidy Advice Unit, the referred functions.
- (4) Where the reference is made in relation to a referred case, the reference in subsection (3) to the referred functions is a reference to those functions so far as relating to the referred case.
- (5) Paragraph 33 of Schedule 4 to ERA 2013 does not apply in relation to a reference under this section.
- (6) In this section “CMA chair” means the person appointed under paragraph 1(1)(a) of Schedule 4 to ERA 2013.

#### **Commencement Information**

- I3** S. 69 not in force at Royal Assent, see [s. 91\(2\)](#)  
**I4** [S. 69](#) 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, CHAPTER 3.