



# Subsidy Control Act 2022

## 2022 CHAPTER 23

### PART 2

#### SUBSIDY CONTROL REQUIREMENTS

### CHAPTER 2

#### PROHIBITIONS AND OTHER REQUIREMENTS

##### *Subsidies or schemes subject to mandatory referral*

#### **31 Subsidies or schemes subject to mandatory referral**

- (1) A subsidy, or subsidy scheme, in respect of which a public authority must request a report from the CMA under section 52(1), is prohibited if—
- (a) a mandatory referral request has not been submitted in relation to it,
  - (b) a mandatory referral request has been submitted, but the CMA has given a notice under section 53(1)(b) that the request does not comply with the requirements under section 52,
  - (c) a mandatory referral request has been submitted, the CMA report has not been published but the reporting period has not expired, or
  - (d) a mandatory referral request has been submitted, the CMA report has been published but the cooling off period has not expired.
- (2) References in subsection (1) to publication of the CMA report are references to the report required under section 53 to be published by the CMA in response to a mandatory referral request.
- (3) In subsection (1)—
- “cooling off period” has the meaning given by section 54(2);
  - “mandatory referral request” means a request made under section 52;
  - “reporting period” has the meaning given by section 53(3).

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**Changes to legislation:** There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 31. (See end of Document for details)

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#### Commencement Information

- I1** S. 31 not in force at Royal Assent, see [s. 91\(2\)](#)  
**I2** [S. 31](#) 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, Section 31.