



Subsidy Control Act 2022

2022 CHAPTER 23

PART 4

CMA: REFERRALS AND FUNCTIONS

CHAPTER 1

FUNCTIONS ON REFERRALS OF SUBSIDIES AND SCHEMES

Mandatory referrals

52 Mandatory referral to CMA

- (1) A public authority must request a report from the CMA—
 - (a) before giving a subsidy, or making a subsidy scheme, of particular interest, or
 - (b) where directed to do so by the Secretary of State under section 55.
- (2) The request must—
 - (a) include the information in relation to the subsidy or subsidy scheme that would be required under section 34, if the subsidy or scheme were to be given or made,
 - (b) provide such other information as is specified in regulations under subsection (3)(a),
 - (c) explain, in the case of a request under subsection (1)(a), why the public authority considers that the subsidy or subsidy scheme would meet the criteria for being a subsidy, or subsidy scheme, of particular interest,
 - (d) include an assessment by the public authority as to whether the subsidy or scheme would comply with the requirements of Chapters 1 and 2 of Part 2, and the reasons for that conclusion, and
 - (e) include any evidence relevant to that assessment.
- (3) The Secretary of State may by regulations—

Changes to legislation: There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 52. (See end of Document for details)

- (a) specify further information that must be included in a request under this section;
 - (b) make provision as to the form of a request under this section.
- (4) Regulations under subsection (3)(a) and (b) are subject to the negative procedure.

Commencement Information

- I1** S. 52 in force at Royal Assent for specified purposes, see [s. 91\(1\)\(b\)](#)
- I2** [S. 52](#) in force at 4.1.2023 in so far as not already in force by [S.I. 2022/1359](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 52.