



# Subsidy Control Act 2022

## 2022 CHAPTER 23

### PART 4

#### CMA: REFERRALS AND FUNCTIONS

### CHAPTER 1

#### FUNCTIONS ON REFERRALS OF SUBSIDIES AND SCHEMES

##### *Post-award referrals*

#### **62 CMA report following post-award referral**

- (1) The CMA's report under section 61 must include an evaluation of the public authority's assessment under section 60(3)(a).
- (2) The evaluation must take into account any effects of the proposed subsidy or scheme on competition or investment within the United Kingdom.
- (3) If an assessment was not provided under section 60(3)(a), that fact should be stated in the report, along with any reasons provided under section 60(3)(c).
- (4) If the subsidy or subsidy scheme is ongoing, the report may also include advice about how the subsidy or scheme may be modified to ensure compliance with the requirements of Chapters 1 and 2 of Part 2.
- (5) The Secretary of State may by regulations—
  - (a) amend subsection (1), (2), (3) or (4) to make provision about the content of the CMA's report under section 61;
  - (b) make provision as to the form of that report.
- (6) Regulations under subsection (5)(a) are subject to the affirmative procedure.
- (7) Regulations under subsection (5)(b) are subject to the negative procedure.

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***Changes to legislation:*** *There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 62. (See end of Document for details)*

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#### **Commencement Information**

- I1** S. 62 in force at Royal Assent for specified purposes, see [s. 91\(1\)\(b\)](#)
- I2** [S. 62](#) 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 62.