
EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations apply, with modifications, sections 13 to 16 of the Competition Act (“the Act”) (notification for guidance and decisions, effect of guidance and effect of a decision that the Chapter I prohibition has not been infringed) to cases where the Director has given a direction withdrawing an exclusion from the Chapter I prohibition, or is considering giving such a direction. They also apply those sections to applications in respect of agreements that benefit from a transitional period provided under Schedule 13 to the Act. The regulations apply, with modifications, the procedures under Schedule 5 in respect of applications under these regulations.

The regulations add to the decisions which are appealable under sections 46 and 47 of the Act decisions imposing conditions or obligations or varying them in respect of parallel exemptions under section 10 of the Act, and decisions under section 14, as applied by these regulations, that an agreement would infringe the prohibition if it applied.