
STATUTORY INSTRUMENTS

2003 No. 1370

**The Enterprise Act 2002 (Merger Fees and
Determination of Turnover) Order 2003**

PART 1

GENERAL

Interpretation

2. In this Order—

- (a) “the Act” means the Enterprise Act 2002;
- (b) “applicable turnover” means the turnover of an enterprise in the preceding business year, or in a case to which article 11(4) applies, in the period referred to in that article, determined in accordance with the Schedule to this Order; and where a business year or a period under article 11(4) does not equal 12 months the applicable turnover shall be the amount which bears the same proportion to the applicable turnover during that business year as 12 months does to that period;
- (c) “business year” means a period of more than six months in respect of which an enterprise or, if applicable, the business of which it forms part, prepares or is required to prepare accounts; and
- (d) “merger reference” means a reference by the OFT to the Commission under section 22 or 33 of the Act or a reference by the Secretary of State to the Commission under section 45 of the Act.