
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 2003 certain provisions of the Enterprise Act 2002. In particular, those provisions (a) create the Office of Fair Trading (OFT) and transfer the existing functions of the Director General of Fair Trading to the OFT (sections 1 and 2); (b) provide the OFT with the function of promoting good consumer practice (section 8); (c) create the Competition Appeal Tribunal (“the Tribunal”) (section 12), provide for its constitution for certain proceedings (section 14 and schedule 2) and its rules (section 15 and schedule 4), and enable it to perform the functions formerly performed by the appeal tribunals of the Competition Commission (schedule 5); (d) create the Competition Service (section 13 and schedule 3); (e) repeal the exclusion from the Chapter 1 prohibition under the Competition Act 1998 for designated professional rules (section 207); and (f) make various related transitional, transitory and consequential provisions and repeals.

Article 3 of this Order also makes transitional and transitory provision in connection with the coming into force of the provisions relating to the Tribunal which supplement the transitional and transitory provisions in paragraphs 7 to 12 of Schedule 24 to the Act.