

SCHEDULE 2

AMENDMENTS TO PART 8 OF THE 2000 ACT

- 2.**—(1) Section 119 (the code) is amended as follows.
- (2) In subsection (2), after paragraph (c), insert—
- “(d) descriptions of behaviour that are accepted market practices in relation to one or more specified markets;
 - (e) descriptions of behaviour that are not accepted market practices in relation to one or more specified markets.”
- (3) After subsection (2), insert—
- “(2A) In determining, for the purposes of subsections (2)(d) and (2)(e) or otherwise, what are and what are not accepted market practices, the Authority must have regard to the factors and procedures laid down in Articles 2 and 3 respectively of Commission Directive [2004/72/EC](#) of 29 April 2004 implementing Directive [2003/6/EC](#) of the European Parliament and of the Council.”