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## STATUTORY INSTRUMENTS

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# 2011 No. 2749

## The Postal Services (Appeals to the Competition Commission) (Investigations and Extension of Time Limits) Order 2011

### Modification of provisions of the 2002 Act

4.—(1) The modifications referred to in Article 3 are—

[<sup>F1</sup>(2) In section 109—

(a) subsection (A1) is replaced by—

“(A1) For the purposes of this section, a permitted purpose is assisting the CMA in carrying out any functions exercisable by it in connection with an appeal made to it under section 59 of the Postal Services Act.”, and

(b) subsection (8A) is omitted.]

(3) Section 110(2) is omitted.

[<sup>F2</sup>(3A) After section 110(3), there is inserted—

“(3A) No penalty shall be imposed by virtue of subsection (1) or (3) if more than 4 weeks have passed since the determination by the CMA of the appeal concerned; but this subsection shall not apply in relation to any variation or substitution of the penalty which is permitted by virtue of this Part.”.]

(4) In section 110(9) the words from “or section” to “section 65(3)” are omitted.

(5) Section 111(5)(b)(ii) is replaced by—

“(ii) if earlier, the day on which [<sup>F3</sup>CMA] determines an appeal under section 59 of the Postal Services Act 2011.”.

(6) In section 117(1)(a) and (2)—

[<sup>F4</sup>(a) the words “, OFCOM or the Secretary of State” are omitted,

(aa) the words “their functions” are replaced by “its functions”; and]

(b) the words “this Part” are replaced by “section 59 of the Postal Services Act 2011”.

**F1** Art. 4(2) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/549\)](#), art. 1(1), [Sch. 1 para. 45\(4\)\(a\)](#) (with art. 3)

**F2** Art. 4(3A) inserted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/549\)](#), art. 1(1), [Sch. 1 para. 45\(4\)\(b\)](#) (with art. 3)

**F3** Word in art. 4(5) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/549\)](#), art. 1(1), [Sch. 1 para. 45\(4\)\(c\)](#) (with art. 3)

**F4** Art. 4(5)(a)(aa) substituted for art. 4(5)(a) (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/549\)](#), art. 1(1), [Sch. 1 para. 45\(4\)\(d\)](#) (with art. 3)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Postal Services (Appeals to the Competition Commission) (Investigations and Extension of Time Limits) Order 2011, Section 4. (See end of Document for details)*

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**Commencement Information**

**II** [Art. 4](#) in force at 15.1.2012, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Postal Services (Appeals to the Competition Commission) (Investigations and Extension of Time Limits) Order 2011, Section 4.