
STATUTORY INSTRUMENTS

2019 No. 1245

**The Competition (Amendment etc.) (EU Exit)
(No. 2) Regulations 2019 (expired—not approved)**

PART 3

Amendment of Part 3 of the 2019 Regulations: amendment of the Enterprise Act 2002

[^{X1}13. After regulation 59 insert—

“**59A.**—(1) Schedule 10 is amended as follows.

(2) In the heading to Schedule 10, after “UNDERTAKINGS” insert “ , COMMITMENTS ”.

(3) In the italic heading before paragraph 1, after “undertakings” insert “ and commitments ”.

(4) In paragraph 1—

(a) omit the “and” at the end of sub-paragraph (a);

(b) after sub-paragraph (a) insert—

“(aa) any commitment which varies or supersedes a retained EU merger commitment under section 84A (but does not apply to such a commitment which falls within paragraph 1A); and”;

(c) in sub-paragraph (b), for “or 84” substitute “ , 84 or 84C ”.

(5) After paragraph 1 insert—

“**1A.** A commitment falls within this paragraph if—

(a) it does not vary the retained EU merger commitment in any material respect;
or

(b) it only extends a time limit or time limits specified in the retained EU merger commitment.”.

(6) In paragraph 2(1) ^{M1}—

(a) in the words before paragraph (a), after “an undertaking” insert “ or commitment ”;

(b) in paragraph (a), after “proposed undertaking” insert “ , commitment ”.

(7) In paragraph 2(2)—

(a) in paragraph (a), after “undertaking” insert “ or commitment ”;

(b) paragraphs (b) and (c), after “undertaking”, in both places, insert “ , commitment ”;

- (c) in paragraph (d), after “undertaking” insert “ or commitment ”;
- (d) in paragraph (e), after “undertaking” insert “ , commitment ”;
- (e) in paragraph (f)—
 - (i) after “an undertaking” insert “ or commitment ”;
 - (ii) after “proposed undertaking” insert “ , commitment ”.
- (8) In paragraphs 2(4) and 3(1), after “undertaking”, in both places, insert “ or commitment ”.
- (9) In paragraph 4—
 - (a) in the words before sub-paragraph (a) and in sub-paragraph (a), after “undertaking”, in both places, insert “ or commitment ”;
 - (b) in sub-paragraph (b), after “undertaking” insert “ , commitment ”.
- (10) In paragraph 5(1), in paragraph (a), after “undertaking” insert “ , commitment ”.
- (11) In the italic heading before paragraph 6, after “undertakings” insert “ , commitments ”.
- (12) In paragraph 6—
 - (a) omit the “or” at the end of sub-paragraph (a);
 - (b) after sub-paragraph (a) insert—
 - “(aa) release a retained EU merger commitment under section 84A (other than in connection with accepting a commitment which varies or supersedes a retained EU merger commitment); or”;
 - (c) in sub-paragraph (b), for “or 84” substitute “ , 84 or 84C ”.
- (13) In paragraphs 7 and 8, after “undertaking”, in each place it occurs, insert “ or commitment ”.”.]

Editorial Information

- X1** This statutory instrument was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument is approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.

Marginal Citations

- M1** [Paragraph 2](#) was amended by paragraphs 59 and 162 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.

Changes to legislation:

There are currently no known outstanding effects for the The Competition (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (expired—not approved), Section 13.