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STATUTORY INSTRUMENTS

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**2019 No. 93**

The Competition (Amendment etc.) (EU Exit) Regulations 2019

PART 2

Amendment of the Competition Act 1998

4. After section 10 insert—

**“10A Power to vary etc retained block exemption regulations**

(1) The Secretary of State may by regulations vary or revoke a retained block exemption regulation.

(2) In exercising the power under subsection (1), the Secretary of State must have regard to the conditions specified in section 9(1) for exemption from the Chapter 1 prohibition.

(3) If, in the opinion of the CMA, it is appropriate to vary or revoke a retained block exemption regulation, the CMA may make a recommendation to that effect to the Secretary of State.

(4) Before making a recommendation under subsection (3), the CMA must—

- (a) publish details of its proposed recommendation in such a way as it thinks most suitable for bringing it to the attention of those likely to be affected; and
- (b) consider any representations about it which are made to it.

(5) Before exercising the power to vary or revoke a retained block exemption regulation (in a case where there has been no recommendation under subsection (3)), the Secretary of State must—

- (a) inform the CMA of the proposed variation or revocation; and
- (b) take into account any comments made by the CMA.”.