

---

STATUTORY INSTRUMENTS

---

**2021 No. 1465**

The National Security and Investment Act  
2021 (Commencement No. 2 and Transitional  
and Saving Provision) Regulations 2021

**Transitional and saving provision in relation to the 2002 Act – relevant merger situations**

5.—(1) Paragraph (2) applies where immediately before the commencement day the Competition and Markets Authority—

- (a) is carrying out its function of deciding whether to make a reference under section 22 or 33 of the 2002 Act in relation to a relevant merger situation in a case where the initial period as defined in section 34ZA(3)(1) of that Act has begun; or
- (b) has made a reference under section 22 or 33(2) of that Act in relation to a relevant merger situation.

(2) The 2002 Act continues to have effect in relation to the relevant merger situation concerned, disregarding the effect of any amendment made to the 2002 Act by the 2021 Act.

---

(1) Section 34ZA(3) was inserted by paragraph 4 of Schedule 8 to the 2013 Act and amended by [S.I. 2019/93](#).

(2) Section 22 was amended by paragraph 67 of Schedule 5 to the 2013 Act and section 33 was amended by paragraph 72 of that Schedule.