

These notes refer to the Enterprise and Regulatory Reform Act 2013 (c.24) which received Royal Assent on 25 April 2013

ENTERPRISE AND REGULATORY REFORM ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: the Competition and Markets Authority and Part 4: Competition Reform

Part 4: Competition Reform

Chapter 2: Markets

Summary and Background

251. The main provisions of this Chapter provide for:

- giving the CMA the power to carry out an investigation into practices across more than one market;
- giving the Secretary of State the power to request the CMA to investigate public interest issues alongside competition issues as part of market investigations;
- introducing and, in some cases, reducing statutory time limits and harmonising information gathering powers for all stages of the markets process;
- removing the OFT's current duty to consult on decisions not to make a market investigation reference, except where there has been a request for a reference to be made during a market study; and
- ensuring that the CMA may use interim measures to reverse as well as to prevent pre-emptive action during a market investigation.