

*Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 13. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 13

Section 41

#### EXTENSION OF POWERS TO ISSUE WARRANTS UNDER THE 1998 ACT TO CAT

1 The 1998 Act is amended as follows.

##### Commencement Information

**11** Sch. 13 para. 1 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 2 (1) Section 28 (power to enter business premises under a warrant) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (7) insert—
- “(7A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

##### Commencement Information

**12** Sch. 13 para. 2 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 3 (1) Section 28A (power to enter domestic premises under a warrant) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

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**Commencement Information**

**I3** Sch. 13 para. 3 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 4 In section 61 (interpretation of Part 2), after the definition of “the Treaty” insert—
- ““the Tribunal” means the Competition Appeal Tribunal;”
- “Tribunal rules” means rules under section 15 of the Enterprise Act 2002.””.

**Commencement Information**

**I4** Sch. 13 para. 4 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 5 (1) Section 62 (power to enter business premises under a warrant: Article 20 inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

**Commencement Information**

**I5** Sch. 13 para. 5 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 6 (1) Section 62A (power to enter non-business premises under a warrant: Article 21 inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (10) insert—
- “(10A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

**Commencement Information**

**I6** Sch. 13 para. 6 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 7 (1) Section 63 (power to enter business premises under a warrant: Article 22(2) inspections) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the High Court or the Tribunal must issue a warrant if it is satisfied that— ”.
- (3) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the High Court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

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**Commencement Information**

**I7** Sch. 13 para. 7 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 8 In section 65C (interpretation of Part 2A), in subsection (2), after the entry for “the Treaty” (but before the “and” following it) insert—
- ““the Tribunal;”
- “Tribunal rules;””.

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**Commencement Information**

**I8** Sch. 13 para. 8 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 9 (1) Section 65G (power to enter business premises under a warrant: Article 22(1) investigations) is amended as follows.
- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
- (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

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**Commencement Information**

**I9** Sch. 13 para. 9 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 10 (1) Section 65H (power to enter domestic premises under a warrant: Article 22(1) investigations) is amended as follows.

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- (2) In subsection (1), for the words before paragraph (a) substitute “ On an application made to it by the CMA, the court or the Tribunal may issue a warrant if it is satisfied that— ”.
- (3) In subsection (3), for “the judge” substitute “ the court or (as the case may be) the Tribunal ”.
- (4) After subsection (8) insert—
- “(8A) An application for a warrant under this section must be made—
- (a) in the case of an application to the court, in accordance with rules of court;
  - (b) in the case of an application to the Tribunal, in accordance with Tribunal rules.”

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**Commencement Information**

**I10** Sch. 13 para. 10 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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