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

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## SCHEDULES

### SCHEDULE 4

#### THE COMPETITION AND MARKETS AUTHORITY

#### PART 4

##### INTERPRETATION AND TRANSITIONAL AND TRANSITORY PROVISION

##### *Members of the Competition Commission*

- 61 (1) This paragraph applies—
- (a) in relation to any appointments under paragraph 1(1)(b) to the CMA panel that are made before the abolition of the Competition Commission under section 26, to any person who is a panel member of the Competition Commission and whose term of office as such is not due to expire before the abolition of the Competition Commission under that section;
  - (b) in relation to any other appointment under paragraph 1(1)(b) to the CMA panel, to a person who was a panel member of the Competition Commission immediately prior to its abolition under section 26.
- (2) A person to whom this paragraph applies may be appointed under paragraph 1(1)(b) as a member of the CMA panel.
- (3) But the terms of the person's appointment as a member of the CMA panel must not be such that the sum of the period of his or her office as a member of the CMA panel, and of the period of his or her office as a panel member of the Competition Commission (excluding any period when he or she also holds office as a member of the CMA panel), exceeds eight years.
- (4) Paragraph 4(1) applies for the purposes of the person's re-appointment as a member of the CMA panel as it does for the purposes of the re-appointment of a CMA panel member to whom this paragraph does not apply.
- (5) The power conferred by section 100 includes power to make provision for the appointment of panel members of the Competition Commission as members of the CMA panel, or for the re-appointment of persons who are appointed as members of the CMA panel by virtue of sub-paragraph (2), for the purpose of enabling anything in the process of being done by or on behalf of the Competition Commission immediately prior to its abolition to be completed by or on behalf of the CMA; and nothing in sub-paragraphs (1) to (4) restricts the provision that may be made for that purpose.

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#### Commencement Information

**II** Sch. 4 para. 61(1)-(4) in force at 1.10.2013 by S.I. 2013/2227, art. 2(j) (with art. 3)

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**I2** Sch. 4 para. 61(5) in force at 1.4.2014 by S.I. 2014/416, **art. 2(1)(c)** (with Sch.)

62 Except as provided for by paragraph 61, a person who holds or has held office as a panel member of the Competition Commission at any time prior to its abolition may not be appointed under paragraph 1(1)(b) as a member of the CMA panel.

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**Commencement Information**

**I3** Sch. 4 para. 62 in force at 1.10.2013 by S.I. 2013/2227, **art. 2(j)** (with art. 3)

63 References in paragraphs 61 and 62 to a panel member of the Competition Commission are to a person appointed as a member of the Competition Commission of a kind mentioned in paragraph 2(3) of Schedule 7 to the Competition Act 1998.

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**Commencement Information**

**I4** Sch. 4 para. 63 in force at 1.10.2013 by S.I. 2013/2227, **art. 2(j)** (with art. 3)

**Changes to legislation:**

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