

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 26(4)

REGULATORY APPEALS ETC: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO ACTS

Competition Act 1980 (c. 21)

1 The Competition Act 1980 is amended as follows.

Commencement Information

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

- 2 (1) Section 11 (reference of public bodies and certain other persons to the Commission) is amended as follows.
- (2) In subsections (1), (5), (6), (8) and (10), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) After subsection (10) insert—
- “(10A) The functions of the CMA with respect to a reference under this section (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 11B) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”
- (4) In the heading, for “Commission” substitute “CMA”.

Commencement Information

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

- 3 In section 11A (references under section 11: time-limits), in subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

13 Sch. 6 para. 3 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 4 (1) Section 11C (references under section 11: further supplementary provisions) is amended as follows.

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- (2) In subsection (1), for the words from “the words” to the end, substitute “—
- (a) the words “, OFCOM or the Secretary of State” were omitted, and
 - (b) for the words “their functions” there were substituted “ its functions ” ”
- (3) In subsection (3)—
- (a) for “Commission” substitute “ CMA ”, and
 - (b) for the words from “in connection with” to the end, substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.

Commencement Information

I4 Sch. 6 para. 4 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 5 In section 12 (orders following report under section 11), in subsections (1) to (3) and (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I5 Sch. 6 para. 5 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 6 In section 16 (general provisions as to reports), in subsection (2), for “Commission” substitute “ CMA ”.

Commencement Information

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

- 7 In section 17 (laying before Parliament and publication of reports), in subsection (6), for “Commission” substitute “ CMA ”.

Commencement Information

I7 Sch. 6 para. 7 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 8 In section 33 (short title, interpretation, etc), in subsection (2), for “ “the Commission” ” substitute “ “the CMA” ”.

Commencement Information

I8 Sch. 6 para. 8 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Solicitors (Scotland) Act 1980 (c. 46)

- 9 The Solicitors (Scotland) Act 1980 is amended as follows.

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Commencement Information

I9 Sch. 6 para. 9 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 10 In section 25A (rights of audience in the Court of Session etc), in subsections (9) and (11), for “Director” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I10 Sch. 6 para. 10 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 11 (1) Section 64A (advisory and supervisory functions) is amended as follows.
- (2) In subsections (1) and (2), for “Director” (in each place where it occurs) substitute “ CMA ”.
- (3) In subsection (3)—
- (a) for “Director has completed his consideration he” substitute “ CMA has completed its consideration, the CMA ”, and
- (b) for “he thinks” substitute “ it thinks ”.
- (4) In subsection (4), for “The Director may publish any advice given by him” substitute “ The CMA may publish advice given ”.
- (5) In subsection (5)—
- (a) for “Director” substitute “ CMA ”, and
- (b) for “Director's” substitute “CMA's”.
- (6) In subsection (6), for “Director” substitute “ CMA ”.
- (7) In the heading, for “Director General of Fair Trading” substitute “ Competition and Markets Authority ”.

Commencement Information

I11 Sch. 6 para. 11 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 12 (1) Section 64C (investigatory powers) is amended as follows.
- (2) In subsection (1)—
- (a) for “Director” substitute “ CMA ”, and
- (b) for “him” (in each place where it occurs) substitute “ the CMA ”.
- (3) After subsection (2) insert—
- “(2A) A notice under this section may be issued on the CMA's behalf by any member of the CMA Board.”
- (4) In the heading, for “Director” substitute “ Competition and Markets Authority ”.

Commencement Information

I12 Sch. 6 para. 12 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 13 In section 64CA (enforcement of notices under section 64C), in subsections (1) and (2), for “Office of Fair Trading” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I13 Sch. 6 para. 13 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 14 (1) In section 65 (interpretation), in subsection (1)—
- (a) before the definition of “the Council” insert—
- ““the CMA” means the Competition and Markets Authority;
- “the CMA Board” has the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and”
- (b) omit the definition of “the Director”.

Commencement Information

I14 Sch. 6 para. 14 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Gas Act 1986 (c. 44)

- 15 The Gas Act 1986 is amended as follows.

Commencement Information

I15 Sch. 6 para. 15 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 16 (1) Section 23B (appeals) is amended as follows.
- (2) In subsection (1), for “Competition Commission (“the Commission”)” substitute “ CMA ”.
- (3) In subsections (3) and (4), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the heading, for “Competition Commission” substitute “ CMA ”.

Commencement Information

I16 Sch. 6 para. 16 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 17 (1) Section 23C (procedure on appeal) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2), omit “Instead.”.
- (4) After subsection (2) insert—
- “(2A) Except where specified otherwise in Schedule 4A, the functions of the CMA with respect to an appeal under section 23B are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

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- (5) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I17 Sch. 6 para. 17 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 18 (1) Section 23D (determination of appeal) is amended as follows.
- (2) In subsections (2) to (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I18 Sch. 6 para. 18 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 19 (1) Section 23E (powers on allowing appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “ CMA ”.
- (3) In subsection (2)—
- (a) for “Commission” (in each place where it occurs) substitute “ CMA ”, and
- (b) for “Commission's” substitute “CMA's”.
- (4) In subsection (3), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (5) In subsection (7), for “Commission's” substitute “CMA's”.
- (6) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I19 Sch. 6 para. 19 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 20 (1) Section 23F (time limits for determination of appeal) is amended as follows.
- (2) In subsections (1), (3) to (5) and (7), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I20 Sch. 6 para. 20 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 21 (1) Section 23G (supplementary provision about determination of appeal) is amended as follows.
- (2) In subsection (1), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In subsection (2)—

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- (a) for “Commission” substitute “ CMA ”, and
 - (b) for “Commission's” (in each place where it occurs) substitute “CMA's”.
- (4) In subsection (3), for “Commission” substitute “ CMA ”.
- (5) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I21 Sch. 6 para. 21 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 22 In section 27 (modification by order under other enactments), in subsection (1), for “Office of Fair Trading, the Competition Commission” substitute “ CMA ”.

Commencement Information

I22 Sch. 6 para. 22 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 23 (1) Section 41D (application by Authority for order including new activities) is amended as follows.
- (2) In subsection (3), for the words from “shall” to the end, substitute “ shall, before making the application, make a reference under section 41E to the CMA ”.
- (3) In subsections (4) and (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) After subsection (6), insert—
- “(7) The functions of the CMA with respect to a reference under section 41E (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 41EB) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

Commencement Information

I23 Sch. 6 para. 23 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 24 (1) Section 41E (references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsections (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the heading, for “Competition Commission” substitute “ CMA ”.

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I24 Sch. 6 para. 24 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 25 In section 41EA (references under section 41E: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I25 Sch. 6 para. 25 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 26 In section 41EB (references under section 41E: application of the Enterprise Act 2002), in subsection (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “ its functions ”.”

Commencement Information

I26 Sch. 6 para. 26 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 27 (1) Section 41F (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
 - (3) In subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In subsection (3A)—
 - (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.
 - (5) In subsections (3B) to (4C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
 - (6) In subsection (5), for “Commission” substitute “CMA”.

Commencement Information

I27 Sch. 6 para. 27 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 28 In section 48 (interpretation of Part 1), in subsection (1), after the definition of “calorific value” insert—
- ““the CMA” means the Competition and Markets Authority;”.

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I28 Sch. 6 para. 28 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 29 (1) Schedule 4A (procedure for appeals under section 23B) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraphs (1) and (7), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (8)—
 - (i) for “Commission's” substitute “CMA's”, and
 - (ii) for “Commission” substitute “CMA”,
 - (c) in sub-paragraph (9)—
 - (i) for “deciding” substitute “the authorised member decides”, and
 - (ii) for “the Commission must give the Authority” substitute “the Authority must be given”,
 - (d) in sub-paragraph (10), for “Commission's” substitute “CMA's”,
 - (e) in sub-paragraph (12), for “the Commission must” substitute “an authorised member of the CMA must”, and
 - (f) in sub-paragraph (13)—
 - (i) for “of the Commission” substitute “of the CMA”, and
 - (ii) for “as the Commission” substitute “as an authorised member of the CMA”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1), for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (2)(b), for “the Commission has given the Authority” substitute “the Authority has been given”,
 - (c) in sub-paragraph (3), for “Commission's” substitute “CMA's”,
 - (d) in sub-paragraph (4), for “Commission” substitute “CMA”,
 - (e) in sub-paragraph (5)—
 - (i) for “Commission's” substitute “CMA's”, and
 - (ii) for “Commission” substitute “CMA”, and
 - (f) in sub-paragraph (6)—
 - (i) in paragraph (a), for “Commission” substitute “CMA”, and
 - (ii) in paragraph (b), for “the Commission” substitute “an authorised member of the CMA”.
- (4) In paragraph 3, in sub-paragraphs (1) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 4—
- (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) after “group” insert “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 23B”, and
 - (ii) for “Commission” substitute “CMA panel”,
 - (c) omit sub-paragraphs (3) to (7), and
 - (d) in sub-paragraph (8), for “a group” substitute “the group”.
- (6) In paragraph 5, in sub-paragraph (1)—

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- (a) for “The group with the function of determining an appeal” substitute “ The CMA ”, and
 - (b) for “determination of the appeal” substitute “ determination of an appeal ”.
- (7) In paragraph 6—
- (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “ CMA ”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “ An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken ”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), in paragraph (a), for the words from “Commission's” to the end of paragraph (a), substitute “ CMA's behalf by an authorised member of the CMA ”.
- (8) In paragraph 7—
- (a) in sub-paragraph (2), for “Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “ there is no requirement ”,
 - (c) in sub-paragraph (7), for “the Commission must pay that person” substitute “ an authorised member of the CMA must arrange for that person to be paid ”, and
 - (d) in sub-paragraph (8), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (9) In paragraph 8—
- (a) in sub-paragraph (1), for “Commission” substitute “ CMA ”, and
 - (b) in sub-paragraph (4), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (10) In paragraph 9, for “Commission” substitute “ CMA ”.
- (11) In paragraph 10, in sub-paragraph (1), for “a member of the Commission” substitute “ an authorised member of the CMA ”.
- (12) In paragraph 11, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “ CMA Board ”.
- (13) In paragraph 12, in sub-paragraphs (1) and (2), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (14) In paragraph 13, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Commission” substitute—
 - ““authorised member of the CMA”—
 - (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;

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- (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—
- (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”
- (b) omit the definition of “the Chairman”,
- (c) for the definition of “the Commission” substitute—
- ““CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and
- (d) omit the definition of a “group”.

Commencement Information

I29 Sch. 6 para. 29 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Electricity Act 1989 (c. 29)

30 The Electricity Act 1989 is amended as follows.

Commencement Information

I30 Sch. 6 para. 30 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 31 (1) Section 11C (appeals) is amended as follows.
- (2) In subsection (1), for “Competition Commission (“the Commission”)” substitute “CMA”.
 - (3) In subsections (3) and (4), for “Commission” (in each place where it occurs) substitute “CMA”.
 - (4) In the heading, for “Competition Commission” substitute “CMA”.

Commencement Information

I31 Sch. 6 para. 31 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 32 (1) Section 11D (procedure on appeal) is amended as follows.
- (2) Omit subsection (1).
 - (3) In subsection (2), omit “Instead.”.
 - (4) After subsection (2) insert—
- “(2A) Except where specified otherwise in Schedule 5A, the functions of the CMA with respect to an appeal under section 11C are to be carried out on behalf

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of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

(5) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I32 Sch. 6 para. 32 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 33 (1) Section 11E (determination of appeal) is amended as follows.
- (2) In subsections (2) to (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I33 Sch. 6 para. 33 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 34 (1) Section 11F (powers on allowing appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “ CMA ”.
- (3) In subsection (2)—
- (a) for “Commission” (in each place where it occurs) substitute “ CMA ”, and
- (b) for “Commission's” substitute “CMA's”.
- (4) In subsection (3), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (5) In subsection (7), for “Commission's” substitute “CMA's”.
- (6) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I34 Sch. 6 para. 34 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 35 (1) Section 11G (time limits for determination of appeal) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “ CMA ”.
- (3) In subsections (3) to (5) and (7), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I35 Sch. 6 para. 35 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 36 (1) Section 11H (supplementary provision about determination of appeal) is amended as follows.

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- (2) In subsection (1), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “ CMA ”, and
 - (b) for “Commission's” (in each place where it occurs) substitute “CMA's”.
- (4) In subsection (3), for “Commission” substitute “ CMA ”.
- (5) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I36 Sch. 6 para. 36 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 37 In section 15 (modification by order under other enactments), in subsection (1) for “Office of Fair Trading, the Competition Commission” substitute “ CMA ”.

Commencement Information

I37 Sch. 6 para. 37 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 38 (1) Section 56B (application for order including new activities) is amended as follows.
- (2) In subsection (3), for the words from “shall” to the end, substitute “ shall, before making the application, make a reference under section 56C to the CMA ”.
- (3) In subsections (4) and (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) After subsection (6), insert—
- “(7) The functions of the CMA with respect to a reference under section 56C (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 56CB) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

Commencement Information

I38 Sch. 6 para. 38 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 39 (1) Section 56C (references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsections (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the heading, for “Competition Commission” substitute “ CMA ”.

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Commencement Information

I39 Sch. 6 para. 39 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 40 In section 56CA (references under section 56C: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I40 Sch. 6 para. 40 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 41 In section 56CB (references under section 56C: application of Enterprise Act 2002), in subsection (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.”

Commencement Information

I41 Sch. 6 para. 41 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 42 (1) Section 56D (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (3A)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (5) In subsections (3B) to (4C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (6) In subsection (5), for “Commission” substitute “CMA”.

Commencement Information

I42 Sch. 6 para. 42 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 43 In section 64 (interpretation etc of Part 1), in subsection (1), after the definition of “authorised supplier” insert—
- ““the CMA” means the Competition and Markets Authority;”.

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Commencement Information

I43 Sch. 6 para. 43 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 44 (1) Schedule 5A (procedure for appeals under section 11C) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraphs (1) and (7), for “Commission” (in each place where it occurs) substitute “CMA”,
 - (b) in sub-paragraph (8)—
 - (i) for “Commission's” substitute “CMA's”, and
 - (ii) for “Commission” substitute “CMA”,
 - (c) in sub-paragraph (9)—
 - (i) for “deciding” substitute “the authorised member decides”, and
 - (ii) for “the Commission must give the Authority” substitute “the Authority must be given”,
 - (d) in sub-paragraph (10), for “Commission's” substitute “CMA's”,
 - (e) in sub-paragraph (12), for “the Commission must” substitute “an authorised member of the CMA must”, and
 - (f) in sub-paragraph (13)—
 - (i) for “of the Commission” substitute “of the CMA”, and
 - (ii) for “as the Commission” substitute “as an authorised member of the CMA”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1) for “Commission” substitute “CMA”,
 - (b) in sub-paragraph (2)(b), for “the Commission has given the Authority” substitute “the Authority has been given”,
 - (c) in sub-paragraph (3), for “Commission's” substitute “CMA's”,
 - (d) in sub-paragraph (4), for “Commission” substitute “CMA”,
 - (e) in sub-paragraph (5)—
 - (i) for “Commission's” substitute “CMA's”, and
 - (ii) for “Commission” substitute “CMA”, and
 - (f) in sub-paragraph (6)—
 - (i) in paragraph (a), for “Commission” substitute “CMA”, and
 - (ii) in paragraph (b), for “the Commission” substitute “an authorised member of the CMA”.
- (4) In paragraph 3, in sub-paragraphs (1) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 4—
- (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) after “group” insert “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 11C”, and
 - (ii) for “Commission” substitute “CMA panel”,

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- (c) omit sub-paragraphs (3) to (7), and
 - (d) in sub-paragraph (8), for “a group” substitute “ the group ”.
- (6) In paragraph 5, in sub-paragraph (1)—
- (a) for “The group with the function of determining an appeal” substitute “ The CMA ”, and
 - (b) for “determination of the appeal” substitute “ determination of an appeal ”.
- (7) In paragraph 6—
- (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “ CMA ”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “ An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken ”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), in paragraph (a), for the words from “Commission's” to the end of paragraph (a), substitute “ CMA's behalf by an authorised member of the CMA ”.
- (8) In paragraph 7—
- (a) in sub-paragraph (2), for “Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “ there is no requirement ”,
 - (c) in sub-paragraph (7), for “the Commission must pay that person” substitute “ an authorised member of the CMA must arrange for that person to be paid ”, and
 - (d) in sub-paragraph (8), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (9) In paragraph 8—
- (a) in sub-paragraph (1), for “Commission” substitute “ CMA ”, and
 - (b) in sub-paragraph (4), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (10) In paragraph 9, for “Commission” substitute “ CMA ”.
- (11) In paragraph 10, in sub-paragraph (1), for “a member of the Commission” substitute “ an authorised member of the CMA ”.
- (12) In paragraph 11, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “ CMA Board ”.
- (13) In paragraph 12, in sub-paragraphs (1) and (2), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (14) In paragraph 13, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Commission” substitute—
 - ““authorised member of the CMA”—
 - (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by

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the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;

- (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—
- (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”,
- (b) omit the definition of “the Chairman”,
- (c) for the definition of “the Commission” substitute—
- ““CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and
- (d) omit the definition of a “group”.

Commencement Information

I44 Sch. 6 para. 44 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40)

- 45 The Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 is amended as follows.

Commencement Information

I45 Sch. 6 para. 45 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 46 In section 26 (consideration of applications made under section 25), in subsection (3), for “Director” substitute “ CMA ”.

Commencement Information

I46 Sch. 6 para. 46 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 47 In section 31 (rules of conduct), in subsection (2), for “Director” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I47 Sch. 6 para. 47 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 48 (1) Section 40 (advisory and supervisory functions of Director) is amended as follows.
- (2) In subsections (1) and (2), for “Director” (in each place where it occurs) substitute “ CMA ”.

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- (3) In subsection (3)—
- (a) for “Director has completed his consideration he” substitute “ CMA has completed its consideration it ”, and
 - (b) for “as he” substitute “ as it ”.
- (4) In subsection (4), for “The Director may publish any advice given by him” substitute “ The CMA may publish any advice given ”.
- (5) In subsection (5)—
- (a) for “Director” substitute “ CMA ”, and
 - (b) for “Director’s” substitute “CMA’s”.
- (6) In the heading, for “Director” substitute “ CMA ”.

Commencement Information

I48 Sch. 6 para. 48 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 49 (1) Section 41 (investigatory powers of Director) is amended as follows.
- (2) In subsection (1)—
- (a) for “Director” substitute “ CMA ”, and
 - (b) in paragraphs (a) and (b), for “him” in each place substitute “ the CMA ”.
- (3) In the heading, for “Director” substitute “ CMA ”.

Commencement Information

I49 Sch. 6 para. 49 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 50 In section 41A (enforcement of notices under section 41), in subsections (1) and (2), for “Office of Fair Trading” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I50 Sch. 6 para. 50 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 51 In section 44 (interpretation of Part 2)—
- (a) after the definition of “advocate” insert—
““the CMA” means the Competition and Markets Authority;”, and
 - (b) omit the definition of “the OFT”.

Commencement Information

I51 Sch. 6 para. 51 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Water Industry Act 1991 (c. 56)

- 52 The Water Industry Act 1991 is amended as follows.

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Commencement Information

I52 Sch. 6 para. 52 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 53 (1) Section 12 (determinations under conditions of appointment) is amended as follows.
- (2) In subsection (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsection (3)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “that Commission” (in each place where it occurs) substitute “ the CMA ”.
- (4) In subsection (3A), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (5) In subsections (3B) and (3C), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (6) After subsection (3C) insert—
- “(3D) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by subsection (3B) read with section 16B).”

Commencement Information

I53 Sch. 6 para. 53 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 54 (1) Section 14 (modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsection (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
- (4) In subsection (3), for “Competition Commission” substitute “ CMA ”.
- (5) In subsection (5)—
- (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (6) In subsection (6), for “Competition Commission” substitute “ CMA ”.
- (7) After subsection (6) insert—

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“(6A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 14B and 16B).”

(8) In the heading, for “Monopolies Commission” substitute “ CMA ”.

Commencement Information

I54 Sch. 6 para. 54 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

55 In section 14A (references under section 14: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I55 Sch. 6 para. 55 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

56 (1) Section 15 (reports on modification references) is amended as follows.

(2) In subsection (1), for “Competition Commission” substitute “ CMA ”.

(3) In subsection (1A)—

(a) for “Competition Commission” substitute “ CMA ”, and

(b) for the words from “in connection with the reference” to the end, substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.

(4) In subsections (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I56 Sch. 6 para. 56 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

57 In section 16 (modification following report), in subsections (1) and (4A), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I57 Sch. 6 para. 57 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

58 (1) Section 16A (power of veto following report) is amended as follows.

(2) In subsection (1), for the words from the beginning to “the Commission”)” substitute “ The CMA ”.

(3) In subsections (2) to (9), for “Commission” (in each place where it occurs) substitute “ CMA ”.

(4) Omit subsection (10).

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(5) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I58 Sch. 6 para. 58 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 59 (1) Section 16B (power of veto following report: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I59 Sch. 6 para. 59 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 60 In section 17 (modification by order under other enactments), in subsection (1), for “OFT, the Competition Commission” substitute “CMA”.

Commencement Information

I60 Sch. 6 para. 60 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 61 (1) Section 17K (water supply licences: modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for the words from “Competition Commission” to “the Commission”)” substitute “CMA”, and
- (b) for “Commission to” substitute “CMA to”.
- (3) In subsections (2) to (4), (6), (7) and (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) After subsection (9) insert—
- “(10) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 17M and 17Q).”
- (5) In the heading, for “Competition Commission” substitute “CMA”.

Commencement Information

I61 Sch. 6 para. 61 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 62 In section 17L (references under section 17K: time limits), in subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.

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Commencement Information

I62 Sch. 6 para. 62 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 63 (1) Section 17N (water supply licences: reports on modification references) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “CMA”, and
- (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In subsections (3) to (7) and (9), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I63 Sch. 6 para. 63 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 64 In section 17O (water supply licences: modification following report), in subsections (1) and (6), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I64 Sch. 6 para. 64 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 65 (1) Section 17P (water supply licences: power of veto following report) is amended as follows.
- (2) In subsections (1) to (8) and (10) and (11), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I65 Sch. 6 para. 65 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 66 (1) Section 17Q (section 17P: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I66 Sch. 6 para. 66 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 67 In section 17R (water supply licences: modification by order under other enactments), in subsection (1), for “OFT, the Commission” substitute “ CMA ”.

Commencement Information

I67 Sch. 6 para. 67 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 68 In section 219 (general interpretation), in subsection (1)—
- (a) after the definition of “the Authority” insert—
 - “ “the CMA” means the Competition and Markets Authority”, and
 - (b) omit the definition of “the OFT”.

Commencement Information

I68 Sch. 6 para. 68 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Railways Act 1993 (c. 43)

- 69 The Railways Act 1993 is amended as follows.

Commencement Information

I69 Sch. 6 para. 69 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 70 (1) Section 13 (modification references) is amended as follows.
- (2) In subsection (1)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
 - (3) In subsection (2)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
 - (4) In subsection (3), for “Competition Commission” substitute “ CMA ”.
 - (5) In subsection (5)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” substitute “ the CMA ”.
 - (6) In subsection (6)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
 - (7) In subsection (7), for “Competition Commission” substitute “ CMA ”.
 - (8) After subsection (9) insert—
 - “(10) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of

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modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 13B and 15C).”

(9) In the heading, for “Monopolies Commission” substitute “ CMA ”.

Commencement Information

I70 Sch. 6 para. 70 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

71 In section 13A (references under section 13: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I71 Sch. 6 para. 71 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

72 (1) In section 13B (application of Enterprise Act 2002), in subsection (4)—
(a) for “Competition Commission” substitute “ CMA ”, and
(b) for the words from “the words” to the end, substitute “—
(a) the words “, OFCOM or the Secretary of State” were omitted; and
(b) for the words “their functions” there were substituted “ its functions ”.”

Commencement Information

I72 Sch. 6 para. 72 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

73 (1) Section 14 (reports on modification references) is amended as follows.
(2) In subsection (1), for “Competition Commission” substitute “ CMA ”.
(3) In subsection (1A)—
(a) for “Competition Commission” substitute “ CMA ”, and
(b) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.
(4) In subsections (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I73 Sch. 6 para. 73 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

74 In section 15 (modification following report), in subsections (1), (4A), (4C) and (4D), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

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Commencement Information

I74 Sch. 6 para. 74 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 75 (1) Section 15A (power to veto modifications following report) is amended as follows.
- (2) In subsections (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Competition Commission's” substitute “CMA's”.

Commencement Information

I75 Sch. 6 para. 75 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 76 (1) Section 15B (making of modifications) is amended as follows.
- (2) In subsections (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Competition Commission” substitute “CMA”.

Commencement Information

I76 Sch. 6 para. 76 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 77 (1) Section 15C (sections 15A and 15B: supplementary) is amended as follows.
- (2) In subsections (2) to (2B) and (2D), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (2F), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (2G)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “ its functions ”.
- (5) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I77 Sch. 6 para. 77 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 78 In section 16 (modification by order under other enactments), in subsection (1), for “OFT, the Competition Commission” substitute “CMA”.

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Commencement Information

I78 Sch. 6 para. 78 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 79 (1) Section 74 (annual and other reports) is amended as follows.
- (2) In subsection (1)(b), for “Competition Commission's” substitute “CMA's”.
- (3) Omit subsection (7).

Commencement Information

I79 Sch. 6 para. 79 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 80 In section 83 (interpretation of Part 1), in subsection (1)—
- (a) before the definition of “cross-border service” insert—
- “ “the CMA” means the Competition and Markets Authority;”, and
- (b) omit the definition of “the OFT”.

Commencement Information

I80 Sch. 6 para. 80 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 81 (1) Schedule 4A (review of access charges by regulators) is amended as follows.
- (2) In the italic cross-heading preceding paragraph 8, for “Competition Commission reference” substitute “ reference to CMA ”.
- (3) In paragraph 8, in sub-paragraph (2)(b), for “Competition Commission” substitute “ CMA ”.
- (4) In the italic cross-heading preceding paragraph 9, for “Competition Commission” substitute “ CMA ”.
- (5) In paragraph 9—
- (a) in sub-paragraphs (1), (3) to (5), and (6A) to (9), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”, and
- (b) after sub-paragraph (9), insert—
- “(10) The functions of the CMA with respect to a reference under this paragraph are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraphs 10A and 15).”
- (6) In paragraph 10A, in sub-paragraph (4)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for the words from “the words” to the end, substitute “—
- (a) the words “, OFCOM or the Secretary of State” were omitted; and

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- (b) for the words “their functions” there were substituted “ its functions ”.”
- (7) In paragraph 11—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (4A)—
 - (i) for “Competition Commission” substitute “ CMA ”, and
 - (ii) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”, and
 - (c) in sub-paragraphs (4B) to (5C) and (6), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (8) In paragraph 12, in sub-paragraphs (1), (4B), (5), (8) and (9), for “Competition Commission” substitute “ CMA ”.
- (9) In the italic cross-heading preceding paragraph 13, for “Competition Commission's” substitute “CMA's”.
- (10) In paragraph 13, in sub-paragraphs (1) to (5), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (11) In the italic cross-heading preceding paragraph 14, for “Competition Commission” substitute “ CMA ”.
- (12) In paragraph 14, in sub-paragraphs (1) to (3) and (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (13) In paragraph 15—
- (a) in sub-paragraphs (2) to (2B) and (2D), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”,
 - (b) in sub-paragraph (2F), for “Commission” (in each place where it occurs) substitute “ CMA ”,
 - (c) in sub-paragraph (2G)—
 - (i) for “Competition Commission” substitute “ CMA ”, and
 - (ii) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “ its functions ”.”, and
 - (d) in sub-paragraphs (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

181 Sch. 6 para. 81 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Utilities Act 2000 (c. 27)

82 The Utilities Act 2000 is amended as follows.

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

Commencement Information

I82 Sch. 6 para. 82 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 83 (1) Section 5 (annual and other reports of Authority) is amended as follows.
- (2) In subsection (1)(b), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (3) Omit subsection (9).

Commencement Information

I83 Sch. 6 para. 83 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 84 Section 104 (specialist members of the Competition Commission) is omitted.

Commencement Information

I84 Sch. 6 para. 84 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Transport Act 2000 (c. 38)

- 85 The Transport Act 2000 is amended as follows.

Commencement Information

I85 Sch. 6 para. 85 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 86 (1) Section 12 (references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ Competition and Markets Authority (referred to in this Chapter as “the CMA”) ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsections (2), (3) and (5) to (8), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) After subsection (8) insert—
- “(8A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 12B and 18).”
- (5) In the heading, for “Competition Commission” substitute “ Competition and Markets Authority ”.

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Commencement Information

I86 Sch. 6 para. 86 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 87 In section 12A (references under section 12: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I87 Sch. 6 para. 87 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 88 In section 12B (references under section 12: application of Enterprise Act 2002), in subsection (4)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “ its functions ”.”

Commencement Information

I88 Sch. 6 para. 88 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 89 (1) Section 13 (reports on references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end, substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference. ”.
- (4) In subsections (1B) to (2C), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (5) In subsection (3), for “Commission” substitute “CMA”.

Commencement Information

I89 Sch. 6 para. 89 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 90 (1) Section 14 (modification following report) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (5), for “Commission” (in each place where it occurs) substitute “CMA”.

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Commencement Information

I90 Sch. 6 para. 90 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 91 (1) Section 15 (power to give direction) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “ CMA ”.
- (3) In subsection (2), for “Commission” substitute “ CMA ”.
- (4) In subsection (3)—
- (a) for “Commission” substitute “ CMA ”, and
- (b) for “Commission's” substitute “CMA's”.
- (5) In subsections (4), (9) and (10), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (6) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I91 Sch. 6 para. 91 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 92 (1) Section 16 (position where direction given) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “ CMA ”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “ CMA ”, and
- (b) for “Commission's” substitute “CMA's”.
- (4) In subsection (3)—
- (a) for “Commission” substitute “ CMA ”, and
- (b) for “Commission's” substitute “CMA's”.
- (5) In subsections (4) to (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (6) In the heading, for “Commission” substitute “ CMA ”.

Commencement Information

I92 Sch. 6 para. 92 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 93 (1) Section 17 (duty as to modifications under section 16) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “ CMA ”.
- (3) In subsections (2) and (4) to (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the heading, for “Commission's” substitute “CMA's”.

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Commencement Information

I93 Sch. 6 para. 93 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 94 (1) Section 18 (sections 15 and 16: general) is amended as follows.
- (2) In subsections (2) to (4) and (6), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In subsection (9)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “the words” to the end, substitute “—
 - (a) the words “, OFCOM or the Secretary of State” were omitted; and
 - (b) for the words “their functions” there were substituted “its functions”.

Commencement Information

I94 Sch. 6 para. 94 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 95 In section 19 (modification by order under other enactments), in subsection (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.

Commencement Information

I95 Sch. 6 para. 95 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 96 (1) Schedule 10 (competition test: functions and agreements relating to buses) is amended as follows.
- (2) In the italic cross-heading preceding paragraph 5, for “OFT” substitute “CMA”.
- (3) In paragraph 5—
- (a) for “Office of Fair Trading” substitute “Competition and Markets Authority”, and
 - (b) for “OFT” substitute “CMA”.
- (4) In paragraphs 6, 7, 9, 10 and 12 to 14, for “OFT” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph 14A, in sub-paragraphs (2) to (6), for “OFT” (in each place where it occurs) substitute “CMA”.
- (6) In paragraphs 15 and 16, for “OFT” (in each place where it occurs) substitute “CMA”.

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Commencement Information

I96 Sch. 6 para. 96 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Communications Act 2003 (c. 21)

97 The Communications Act 2003 is amended as follows.

Commencement Information

I97 Sch. 6 para. 97 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 98 (1) Section 193 (reference of price control matters) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (2)—
- (a) for “Competition Commission” substitute “CMA”,
 - (b) for “the Commission is to determine that matter” substitute “the determination of the matter is to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, and is to be performed”,
 - (c) in paragraph (b), for “them” substitute “the CMA”, and
 - (d) in paragraph (c), for “Commission” substitute “CMA”.
- (4) In subsection (3)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “that Commission” substitute “the CMA”.
- (5) In subsection (4), for “Competition Commission” substitute “CMA”.
- (6) In subsection (6)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for “that Commission” substitute “the CMA”.
- (7) In subsections (7) and (8), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (8) In the heading, for “Competition Commission” substitute “CMA”.

Commencement Information

I98 Sch. 6 para. 98 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

99 Section 194 (composition of Competition Commission for price control references) is omitted.

Commencement Information

I99 Sch. 6 para. 99 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

100 In section 197 (interpretation of Chapter 3), before the definition of “network access” insert—

““the CMA” means the Competition and Markets Authority;”.

Commencement Information

I100 Sch. 6 para. 100 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Energy Act 2004 (c. 20)

101 The Energy Act 2004 is amended as follows.

Commencement Information

I101 Sch. 6 para. 101 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

102 (1) Section 173 (appeals) is amended as follows.

(2) In subsection (1)—

- (a) omit “shall lie to the Competition Commission”, and
- (b) after “applies” insert “ shall lie to the Competition and Markets Authority (in this Chapter referred to as “the CMA”) ”.

(3) In subsections (4) and (5), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

(4) In the heading, for “Competition Commission” substitute “ CMA ”.

Commencement Information

I102 Sch. 6 para. 102 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

103 (1) Section 174 (procedure on appeals) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2), omit “Instead,”.

(4) After subsection (2) insert—

“(2A) Except where specified otherwise in Schedule 22, the functions of the CMA with respect to appeals under section 173 are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

Commencement Information

I103 Sch. 6 para. 103 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

104 (1) Section 175 (determination of appeals) is amended as follows.

(2) In subsections (2) to (6), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

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- (3) In subsection (9)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (4) In subsection (10), for “Competition Commission” substitute “ CMA ”.

Commencement Information

I104 Sch. 6 para. 104 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

105 Section 176 is omitted.

Commencement Information

I105 Sch. 6 para. 105 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

106 Section 177 is omitted.

Commencement Information

I106 Sch. 6 para. 106 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 107 (1) Schedule 22 (procedure for appeals under section 173) is amended as follows.
- (2) In paragraph 1—
 - (a) in sub-paragraph (1), for “Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (8), for “Commission's” substitute “CMA's”,
 - (c) in sub-paragraph (9)—
 - (i) for “Commission's” substitute “CMA's”, and
 - (ii) for “Commission” substitute “ CMA ”, and
 - (d) in sub-paragraph (12), for “the Commission must” substitute “ an authorised member of the CMA must ”.
 - (3) In paragraph 2, in sub-paragraphs (1), (2), (5) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
 - (4) In paragraph 3, in sub-paragraphs (1) and (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
 - (5) In paragraph 4, in sub-paragraph (1), for “Commission” substitute “ CMA ”.
 - (6) In paragraph 5—
 - (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) after “group”, insert “ constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to an appeal under section 173 ”, and
 - (ii) for “Commission” substitute “ CMA panel ”,
 - (c) omit sub-paragraphs (3) to (7), and
 - (d) in sub-paragraph (8), for “a group” substitute “ the group ”.

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- (7) In paragraph 6—
- (a) in sub-paragraph (1), for the words from the beginning to “that appeal” substitute “ The CMA must determine an appeal ”,
 - (b) in sub-paragraph (2)—
 - (i) for “group with the function of determining an appeal” substitute “ CMA ”, and
 - (ii) after “requirements” insert “ in respect of an appeal ”, and
 - (c) in sub-paragraph (3), for “Commission” substitute “ CMA ”.
- (8) In paragraph 7—
- (a) for “The group with the function of determining an appeal” substitute “ The CMA ”, and
 - (b) for “determination of the appeal” substitute “ determination of an appeal ”.
- (9) In paragraph 8—
- (a) in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “ CMA ”,
 - (b) in sub-paragraph (4)—
 - (i) for “The Commission may take copies” substitute “ An authorised member of the CMA may, for the purpose of the exercise of the functions of the CMA, make arrangements for copies to be taken ”, and
 - (ii) omit “to it”, and
 - (c) in sub-paragraph (5), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (10) In paragraph 9—
- (a) in sub-paragraph (2), for “Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (5)(a), for “the Commission is not required” substitute “ there is no requirement ”,
 - (c) in sub-paragraph (7), for “the Commission must pay him” substitute “ an authorised member of the CMA must arrange for that person to be paid ”, and
 - (d) in sub-paragraph (8), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”.
- (11) In paragraph 10—
- (a) in sub-paragraph (1), for “Commission” substitute “ CMA ”, and
 - (b) in sub-paragraph (4), for the words from “Commission's” to the end, substitute “ CMA's behalf by an authorised member of the CMA ”
- (12) In paragraph 11, in sub-paragraph (1), for “a member of the Commission” substitute “ an authorised member of the CMA ”.
- (13) In paragraph 12, in sub-paragraphs (1), (3) and (4), for “Commission” (in each place where it occurs) substitute “ CMA Board ”.
- (14) In paragraph 13, in sub-paragraph (1), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (15) In paragraph 15, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Commission” substitute—

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““authorised member of the CMA”—

- (a) in relation to a power exercisable in connection with an appeal in respect of which a group has been constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the CMA to exercise that power;
- (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal in respect of which a group has not been so constituted by the chair of the CMA, means—
 - (i) any member of the CMA Board who is also a member of the CMA panel, or
 - (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question.”
- (b) omit the definition of “the Chairman”,
- (c) for the definition of “the Commission” substitute—

““the CMA” means the Competition and Markets Authority;”

“CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”, and

- (d) omit the definition of “a group”.

Commencement Information

I107 Sch. 6 para. 107 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Legal Services Act 2007 (c. 29)

108 The Legal Services Act 2007 is amended as follows.

Commencement Information

I108 Sch. 6 para. 108 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 109 (1) Section 57 (reports) is amended as follows.
- (2) In subsection (1), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (3) In subsection (2), for “OFT's” substitute “CMA's”.
 - (4) In subsections (3) to (6), for “OFT” (in each place where it occurs) substitute “CMA”.
 - (5) In the heading, for “OFT” substitute “CMA”.

Commencement Information

I109 Sch. 6 para. 109 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 110 (1) Section 58 (Board's response to report) is amended as follows.
- (2) In subsection (1), for “OFT” substitute “ CMA ”.
- (3) In subsections (2) and (3), for “OFT's” (in each place where it occurs) substitute “CMA's”.
- (4) In subsection (4), for “OFT” substitute “ CMA ”.
- (5) In the heading, for “OFT” substitute “ CMA ”.

Commencement Information

I110 Sch. 6 para. 110 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 111 (1) Section 59 (referral of report by Lord Chancellor) is amended as follows.
- (2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (3) In subsection (4), for the words from “must” to “its advice” substitute “ must make a reference to the chair of the CMA for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, for the purpose of advising the Lord Chancellor ”.
- (4) After subsection (4), insert—
- “(5) Where a reference is made to the chair of the CMA under this section for the constitution of a group, the functions of the CMA under section 60, in relation to the matter concerned, are to be carried out on behalf of the CMA by the group so constituted (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by section 60(9)).”
- (5) In the heading, omit “to the Competition Commission”.

Commencement Information

I111 Sch. 6 para. 111 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 112 (1) Section 60 (duties of the Competition Commission) is amended as follows.
- (2) In subsection (1), for the words from “seeks” to “the Commission” substitute “ makes a reference under section 59, the CMA ”.
- (3) In subsection (2), for “The Commission must then make its own report” substitute “ The CMA must then make a report ”.
- (4) In subsection (3), for “Commission” substitute “ CMA ”.
- (5) In subsection (4)—
- (a) for “Commission” substitute “ CMA ”, and
- (b) for the words from “it receives” to the end substitute “ the reference in question is made to the chair of the CMA under section 59 ”.
- (6) In subsection (5), for “Commission's” substitute “CMA's”.
- (7) In subsection (6)—

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- (a) for “Commission's” substitute “CMA's, and
 - (b) for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (8) In subsection (7), for “Commission” substitute “ CMA ”.
- (9) In subsection (8)—
- (a) for “Commission's” substitute “CMA's, and
 - (b) for “Commission” substitute “ CMA ”.
- (10) In subsection (9)—
- (a) in the words before paragraph (a), for “to the Commission” substitute “ to the CMA ”, and
 - (b) in paragraph (b), for “Commission” substitute “ CMA ”.
- (11) In subsection (10)—
- (a) for “Commission” substitute “ CMA ”, and
 - (b) for “OFT's report” substitute “ report made by the CMA under section 57 ”.
- (12) In the heading, for “Competition Commission” substitute “ CMA ”.

Commencement Information

I112 Sch. 6 para. 112 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 113 (1) Section 61 (Lord Chancellor's power to give directions) is amended as follows.
- (2) In subsection (1), for “OFT” substitute “ CMA ”.
 - (3) In subsection (2), for “Competition Commission” substitute “ CMA ”.

Commencement Information

I113 Sch. 6 para. 113 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 114 In section 66 (Board's power to recommend orders), in subsection (3)(b), for “OFT” substitute “ CMA ”.

Commencement Information

I114 Sch. 6 para. 114 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 115 In section 67 (effect of Board's designation as approved regulator), in subsection (3), for “OFT” substitute “ CMA ”.

Commencement Information

I115 Sch. 6 para. 115 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 116 In section 207 (interpretation), in subsection (1)—
- (a) after the definition of “barrister” insert—
“the CMA” means the Competition and Markets Authority;”, and

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- (b) omit the definition of “the OFT”.

Commencement Information

I116 Sch. 6 para. 116 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 117 (1) Schedule 4 (approved regulators) is amended as follows.
- (2) In paragraph 5, in sub-paragraph (2)(a), for “OFT” substitute “ CMA ”.
- (3) In the italic cross-heading preceding paragraph 6, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 6, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (5) In paragraph 15, in sub-paragraph (5)(a), for “OFT” substitute “ CMA ”.

Commencement Information

I117 Sch. 6 para. 117 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 118 (1) Schedule 6 (alteration of reserved legal activities) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (1)(b), for “OFT” substitute “ CMA ”.
- (3) In paragraph 5, in sub-paragraphs (1) to (4), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (4) In paragraph 8, in sub-paragraph (3), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (5) In paragraph 9, in sub-paragraph (2)(b), for “OFT” substitute “ CMA ”.
- (6) In paragraph 11, in sub-paragraph (4)(a), for “OFT” substitute “ CMA ”.
- (7) In paragraph 17, in sub-paragraph (4)(a), for “OFT” substitute “ CMA ”.

Commencement Information

I118 Sch. 6 para. 118 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 119 (1) Schedule 7 (directions: procedure) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (2)(b), for “OFT” substitute “ CMA ”.
- (3) In the italic cross-heading preceding paragraph 5, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 5, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I119 Sch. 6 para. 119 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 120 (1) Schedule 8 (intervention directions: procedure) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (2)(b), for “OFT” substitute “ CMA ”.
- (3) In the italic cross-heading preceding paragraph 5, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 5, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (5) In paragraph 14, in sub-paragraph (3)(b), for “OFT” substitute “ CMA ”.
- (6) In the italic cross-heading preceding paragraph 16, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (7) In paragraph 16, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I120 Sch. 6 para. 120 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 121 (1) Schedule 9 (cancellation of designation as approved regulator) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (2)(a), for “OFT” substitute “ CMA ”.
- (3) In the italic cross-heading preceding paragraph 4, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 4, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I121 Sch. 6 para. 121 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 122 (1) Schedule 10 (designation of approved regulators as licensing authorities) is amended as follows.
- (2) In paragraph 3, in sub-paragraph (2)(a), for “OFT” substitute “ CMA ”.
- (3) In the italic cross-heading preceding paragraph 4, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 4, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (5) In paragraph 13, in sub-paragraph (5)(a), for “OFT” substitute “ CMA ”.
- (6) In paragraph 19, in sub-paragraph (2)(a), for “OFT” substitute “ CMA ”.
- (7) In the italic cross-heading preceding paragraph 20, for “Office of Fair Trading” substitute “ Competition and Markets Authority ”.
- (8) In paragraph 20, in sub-paragraphs (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.

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Commencement Information

I122 Sch. 6 para. 122 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

123 In Schedule 24 (index of defined expressions)—

(a) at the appropriate place insert—

“CMA section 207”, and

(b) omit the reference to the OFT.

Commencement Information

I123 Sch. 6 para. 123 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Postal Services Act 2011 (c. 5)

124 The Postal Services Act 2011 is amended as follows.

Commencement Information

I124 Sch. 6 para. 124 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

125 (1) Section 59 (price control decisions) is amended as follows.

(2) In subsection (3), for “Competition Commission (“the Commission”)” substitute “Competition and Markets Authority (“the CMA”)”.

(3) In subsections (5) to (12), for “Commission” (in each place where it occurs) substitute “CMA”.

(4) After subsection (12) insert—

“(12A) The CMA's functions with respect to an appeal under this section are to be carried out on its behalf by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013”.

Commencement Information

I125 Sch. 6 para. 125 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

126 In section 60 (section 59: supplementary), in subsections (1) and (4) to (6), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I126 Sch. 6 para. 126 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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Health and Social Care Act 2012 (c. 7)

127 The Health and Social Care Act 2012 is amended as follows.

Commencement Information

I127 Sch. 6 para. 127 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

128 (1) Section 101 (licence condition modification references) is amended as follows.

(2) In subsection (2)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(3) In subsection (4)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(4) After subsection (4) insert—

“(4A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 10 of Schedule 10).”

(5) In subsections (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

(6) In the heading, for “Competition Commission” substitute “ CMA ”.

Commencement Information

I128 Sch. 6 para. 128 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

129 In section 102 (modification of conditions by order under other enactments), in subsection (1), for “Office of Fair Trading, Competition Commission” substitute “ CMA ”.

Commencement Information

I129 Sch. 6 para. 129 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

130 In section 103 (standard condition as to transparency of certain criteria), in subsection (3)—

- (a) in paragraph (b), for “Competition Commission” substitute “ CMA ”, and
- (b) in paragraph (c), for “Office of Fair Trading, Competition Commission” substitute “ CMA ”.

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Commencement Information

I130 Sch. 6 para. 130 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 131 (1) Section 120 (responses to consultation on proposals for national tariff) is amended as follows.
- (2) In subsections (1) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsection (5), omit the words from the beginning to “instead.”
- (4) After subsection (5), insert—
- “(5A) Except where specified otherwise in Schedule 12, the functions of the CMA with respect to a reference under this section (including functions relating to the making of changes following a determination on a reference) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

Commencement Information

I131 Sch. 6 para. 131 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 132 (1) Section 121 (determination on reference under section 120) is amended as follows.
- (2) In subsections (1) to (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) In subsections (4) to (6) and (8) to (10), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I132 Sch. 6 para. 132 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 133 In section 122 (changes following determination on reference under section 120), in subsections (1) and (2), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I133 Sch. 6 para. 133 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 134 (1) Section 123 (power to veto changes proposed under section 122) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “CMA”.
- (3) In subsection (3), for “Commission” substitute “CMA”.
- (4) In subsection (4), for “Competition Commission” substitute “CMA”.

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- (5) In subsections (5) to (7), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I134 Sch. 6 para. 134 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 135 (1) Section 142 (responses to consultation on proposal to impose a levy) is amended as follows.
- (2) In subsections (1) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (3) After subsection (4) insert—
- “(4A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of changes following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 10 of Schedule 10).”
- (4) In subsections (5) and (7), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I135 Sch. 6 para. 135 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 136 (1) Section 149 (electronic communications) is amended as follows.
- (2) In subsection (2)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for “the Commission” substitute “the CMA”.
- (3) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I136 Sch. 6 para. 136 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 137 In section 150 (interpretation etc. of Part 3), in subsection (1), after the definition of “anti-competitive behaviour” insert—
- ““the CMA” means the Competition and Markets Authority;”

Commencement Information

I137 Sch. 6 para. 137 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 138 (1) Schedule 10 (references by Monitor under section 101 or 142) is amended as follows.

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- (2) In the heading, for “Competition Commission” substitute “ CMA ”.
- (3) In paragraph 1—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”, and
 - (b) in sub-paragraph (2), for “the Commission” substitute “ the CMA ”.
- (4) In paragraph 2, for “Competition Commission” substitute “ CMA ”.
- (5) In paragraph 4—
 - (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “ CMA ”, and
 - (ii) for “the Commission” (in each place where it occurs) substitute “ the CMA ”, and
 - (b) in sub-paragraph (2), for “Commission” substitute “ CMA ”.
- (6) In paragraph 5—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (3), for “Commission” substitute “ CMA ”, and
 - (c) in sub-paragraph (4), for “Competition Commission” substitute “ CMA ”.
- (7) In paragraph 6—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”,
 - (b) in sub-paragraph (2)—
 - (i) for “Commission” substitute “ CMA ”, and
 - (ii) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”, and
 - (c) in sub-paragraph (4), for “Commission” substitute “ CMA ”.
- (8) In paragraph 7, in sub-paragraphs (1) and (8), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (9) In the italic cross-heading preceding paragraph 8, for “Competition Commission's” substitute “CMA's”.
- (10) In paragraph 8—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”, and
 - (b) in sub-paragraphs (3) to (5), (7), (8) and (10) to (12), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (11) In paragraph 9—
 - (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”, and
 - (b) in sub-paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (12) In paragraph 10, in sub-paragraph (2), for “Competition Commission” substitute “ CMA ”.

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Commencement Information

I138 Sch. 6 para. 138 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 139 (1) Schedule 12 (procedure on references under section 120) is amended as follows.
- (2) In paragraph 2, in sub-paragraph (1), for “Competition Commission” substitute “CMA”.
- (3) In the italic cross-heading preceding paragraph 3, for “Commission” substitute “CMA”.
- (4) In paragraph 3—
- (a) omit sub-paragraph (1),
- (b) in sub-paragraph (2)—
- (i) for “selected under this paragraph” substitute “constituted by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for the purpose of carrying out functions of the CMA with respect to a reference under section 120”, and
- (ii) for “Commission” substitute “CMA panel”,
- (c) omit sub-paragraphs (3) to (6), and
- (d) in sub-paragraph (7), for “a group” substitute “the group”.
- (5) In paragraph 4—
- (a) in sub-paragraph (1), for the words from the beginning to “the determination” substitute “The CMA must make its determination on a reference”,
- (b) in sub-paragraph (2), for “that group” substitute “the CMA”, and
- (c) in sub-paragraph (3), for “Competition Commission” substitute “CMA”.
- (6) In paragraph 5, in sub-paragraph (1)—
- (a) for “group with the function of determining a reference” substitute “CMA”, and
- (b) for “of the appeal” substitute “on a reference”.
- (7) In paragraph 6, in sub-paragraphs (1) and (3), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (8) In paragraph 7—
- (a) in sub-paragraph (1), for “a group with the function of making a determination on a reference under section 120” substitute “the CMA”,
- (b) in sub-paragraph (2), for “A group with that function” substitute “The CMA”,
- (c) in sub-paragraph (3), for “Competition Commission” substitute “CMA”,
- (d) in sub-paragraph (4)—
- (i) for “Competition Commission” substitute “CMA”, and
- (ii) in paragraph (b), after “evidence” insert “to it” and omit “to a group with that function”,
- (e) in sub-paragraph (5), for “group conducting the hearing” substitute “CMA”,
- (f) in sub-paragraph (8)—

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- (i) in paragraph (a), for “Competition Commission” substitute “ CMA ”, and
 - (ii) in paragraph (b), for “group conducting the hearing” substitute “ CMA ”, and
 - (g) in sub-paragraph (9), for “Competition Commission” substitute “ CMA ”.
- (9) In paragraph 8, in sub-paragraph (1)—
- (a) for “Commission” substitute “ CMA ”, and
 - (b) for “a group with the function of making a determination on a reference under section 120” substitute “ the CMA ”.
- (10) In paragraph 9, in sub-paragraph (2), for “Commission” substitute “ group constituted for the purpose of carrying out functions of the CMA with respect to the reference to which the notice or requirement relates ”.
- (11) In paragraph 10, in sub-paragraph (2) for the words from “Competition Commission's” to the end substitute “ CMA's behalf by a member of the group constituted for the purpose of carrying out functions of the CMA with respect to the reference to which the notice relates ”.
- (12) In paragraph 11—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA Board ”, and
 - (b) in sub-paragraphs (4) and (5), for “Commission” substitute “ CMA Board ”.
- (13) In paragraph 12—
- (a) for sub-paragraph (1) substitute—
 - “(1) Where the CMA makes a determination on a reference under section 120 it must make an order requiring the payment to it of the costs it incurred in connection with the reference.”, and
 - (b) in sub-paragraph (5)—
 - (i) for “The group that makes a determination on a reference under section 120” substitute “ The CMA ”, and
 - (ii) for “the determination” substitute “ a determination on a reference under section 120 ”.

Commencement Information

I139 Sch. 6 para. 139 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Civil Aviation Act 2012 (c. 19)

140 The Civil Aviation Act 2012 is amended as follows.

Commencement Information

I140 Sch. 6 para. 140 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

141 (1) Section 24 (appeals: conditions of new licences) is amended as follows.

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- (2) In subsections (1), (3) and (5), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.
- (3) In the heading, for “Competition Commission” substitute “ Competition and Markets Authority ”.

Commencement Information

I141 Sch. 6 para. 141 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 142 (1) Section 25 (appeals: modification of licence conditions) is amended as follows.
 - (2) In subsections (1), (3), (5) and (7), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.
 - (3) In the heading, for “Competition Commission” substitute “ Competition and Markets Authority ”.

Commencement Information

I142 Sch. 6 para. 142 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 143 In section 26 (when appeals may be allowed), for “Competition Commission” substitute “ Competition and Markets Authority ”.

Commencement Information

I143 Sch. 6 para. 143 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 144 (1) Section 27 (determination of appeal) is amended as follows.
 - (2) In subsection (1) for “Competition Commission” substitute “ Competition and Markets Authority ”.
 - (3) In subsection (2)—
 - (a) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (b) for “the Commission” substitute “ the Competition and Markets Authority ”.
 - (4) In subsection (4)—
 - (a) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (b) for “the Commission” substitute “ the Competition and Markets Authority ”.
 - (5) In subsection (5), for “Competition Commission” substitute “ Competition and Markets Authority ”.

Commencement Information

I144 Sch. 6 para. 144 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 145 (1) Section 28 (determination of appeal: time limits) is amended as follows.

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- (2) In subsections (1), (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.
- (3) In subsection (5)—
- (a) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (b) for “the Commission” substitute “ the Competition and Markets Authority ”.
- (4) In subsections (6) to (8), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.

Commencement Information

I145 Sch. 6 para. 145 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 146 (1) Section 29 (determination of appeal: publication etc) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (b) for “the Commission” substitute “ the Competition and Markets Authority ”.
- (3) In subsections (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.
- (4) In subsection (5)—
- (a) for “Competition Commission” substitute “ Competition and Markets Authority ” and
 - (b) for “Commission's opinion” (in each place where those words occur) substitute “ opinion of the Competition and Markets Authority ”.

Commencement Information

I146 Sch. 6 para. 146 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 147 (1) Section 30 (procedure on appeals) is amended as follows.
- (2) In subsection (2), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (3) For subsection (4) substitute—
- “(4) Except where specified otherwise in Schedule 2, the functions of the Competition and Markets Authority with respect to an appeal under section 24 or 25 are to be carried out on behalf of the Competition and Markets Authority by a group constituted for the purpose, by the chair of the Competition and Markets Authority, under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

Commencement Information

I147 Sch. 6 para. 147 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 148 (1) Schedule 2 (appeals under sections 24 and 25) is amended as follows.
- (2) In paragraph 2—
- (a) in sub-paragraph (1)—
- (i) for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”, and
- (ii) for “the Commission” substitute “ the Competition and Markets Authority ”,
- (b) in sub-paragraphs (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”,
- (c) in sub-paragraph (7), for “The Competition Commission” substitute “ An authorised member of the Competition and Markets Authority ”, and
- (d) in sub-paragraph (8), in paragraph (d), for “Commission” substitute “ authorised member ”.
- (3) In paragraph 3, in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (4) In paragraph 4—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”,
- (b) in sub-paragraph (2), for “on which the Competition Commission publishes its” substitute “of publication of the Competition and Markets Authority's”, and
- (c) in sub-paragraph (3), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (5) In paragraph 5—
- (a) in sub-paragraph (1)—
- (i) for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”, and
- (ii) for “the Commission” substitute “ the Competition and Markets Authority ”,
- (b) in sub-paragraph (2), for “Competition Commission” substitute “ Competition and Markets Authority ”,
- (c) in sub-paragraph (4), for “The Competition Commission must” substitute “ An authorised member of the Competition and Markets Authority must ”, and
- (d) in sub-paragraph (5), in paragraph (d), for “Commission” substitute “ authorised member ”.
- (6) In paragraph 6, in sub-paragraph (3), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (7) In paragraph 7, in sub-paragraph (3), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (8) In paragraph 8, in sub-paragraph (3), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (9) In paragraph 9, in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”.

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- (10) In paragraph 10, in sub-paragraph (3), for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”.
- (11) In paragraph 11—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission's functions” substitute “ functions of the Competition and Markets Authority ”, and
 - (ii) for “the Commission” substitute “ the Competition and Markets Authority ”,
 - (b) in sub-paragraph (2), for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (c) in sub-paragraph (4)—
 - (i) for “The Competition Commission” substitute “ An authorised member of the Competition and Markets Authority ”, and
 - (ii) for first “it” substitute “ he or she ”.
- (12) In paragraph 12, in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (13) In paragraph 13, in sub-paragraph (3), for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”.
- (14) In paragraph 14—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission's functions” substitute “ functions of the Competition and Markets Authority ”, and
 - (ii) for “the Commission” substitute “ the Competition and Markets Authority ”,
 - (b) in sub-paragraph (2), for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (c) in sub-paragraph (4)—
 - (i) for “The Competition Commission” substitute “ An authorised member of the Competition and Markets Authority ”, and
 - (ii) for first “it” substitute “ he or she ”.
- (15) In paragraph 15—
- (a) in sub-paragraph (1), for “The Competition Commission must” substitute “ An authorised member of the Competition and Markets Authority must ”,
 - (b) in sub-paragraph (2), for “the Competition Commission must comply with sub-paragraph (1)” substitute “ the requirements of sub-paragraph (1) must be complied with ”,
 - (c) in sub-paragraph (3), for “The Competition Commission must” substitute “ An authorised member of the Competition and Markets Authority must ”, and
 - (d) in sub-paragraph (4), in paragraph (d), for “Commission” substitute “ authorised member ”.
- (16) In paragraph 16—
- (a) in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”, and

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- (b) in sub-paragraph (4), in paragraph (a), for “the Competition Commission” substitute “an authorised member of the Competition and Markets Authority”.
- (17) In paragraph 17—
- (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2)—
 - (i) for “The group” substitute “A group constituted by the chair of the Competition and Markets Authority, under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, for the purpose of carrying out functions of the Competition and Markets Authority with respect to an appeal under section 24 or 25”, and
 - (ii) for “Competition Commission” substitute “CMA panel”, and
 - (c) omit sub-paragraphs (3) and (4).
- (18) Omit paragraph 18.
- (19) In paragraph 19, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (20) In paragraph 20—
- (a) in sub-paragraph (1)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”,
 - (ii) for “the appeal” substitute “an appeal”, and
 - (iii) for “Competition Commission” substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (3)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”, and
 - (ii) for “the appeal” substitute “an appeal”, and
 - (c) in sub-paragraph (4)—
 - (i) for “A group with the function of determining an appeal” substitute “The Competition and Markets Authority”, and
 - (ii) for “the appeal” substitute “an appeal”.
- (21) In paragraph 21, in sub-paragraph (1), for “Competition Commission” substitute “Competition and Markets Authority”.
- (22) In paragraph 22—
- (a) in sub-paragraphs (1) and (2), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,
 - (b) in sub-paragraph (3), for “Competition Commission's decision” substitute “decision of the Competition and Markets Authority”,
 - (c) in sub-paragraph (4)—
 - (i) for “Competition Commission's decision” substitute “decision of the Competition and Markets Authority”, and
 - (ii) for “the Commission” substitute “the Competition and Markets Authority”,
 - (d) in sub-paragraphs (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “Competition and Markets Authority”,

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- (e) in sub-paragraph (7)—
 - (i) for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”, and
 - (ii) for “Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”, and
 - (f) in sub-paragraph (9)—
 - (i) for “Competition Commission's decision” substitute “ decision of the Competition and Markets Authority ”, and
 - (ii) for “Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”.
- (23) In paragraph 23, in sub-paragraph (1), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (24) In paragraph 24—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (ii) for “the Commission” substitute “ the Competition and Markets Authority ”, and
 - (b) in sub-paragraph (4), for the words from “on the” to the end substitute “ on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority ”.
- (25) In paragraph 25—
- (a) in sub-paragraph (1), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”,
 - (b) in sub-paragraph (3), for “The Competition Commission” substitute “ An authorised member of the Competition and Markets Authority ”,
 - (c) in sub-paragraph (7), in paragraph (a), for “the Competition Commission is not required” substitute “ there is no requirement ”,
 - (d) in sub-paragraph (9), for “the Competition Commission must pay the person” substitute “ an authorised member of the Competition and Markets Authority must arrange for the person to be paid ”, and
 - (e) in sub-paragraph (10), for the words from “on the” to the end substitute “ on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority ”.
- (26) In paragraph 26—
- (a) in sub-paragraph (1), for “Competition Commission” (in each place where it occurs) substitute “ Competition and Markets Authority ”, and
 - (b) in sub-paragraph (5), for the words from “on the” to the end substitute “ on behalf of the Competition and Markets Authority by an authorised member of the Competition and Markets Authority ”.
- (27) In paragraph 27, for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (28) In paragraph 28, in sub-paragraph (2), for “A member of the Competition Commission” substitute “ An authorised member of the Competition and Markets Authority ”.

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- (29) In paragraph 30—
- (a) in sub-paragraphs (1) to (4), for “the Competition Commission” (in each place where it occurs) substitute “ the Competition and Markets Authority ”,
 - (b) after sub-paragraph (4), insert—
 - “(4A) For the purposes of sub-paragraphs (1) to (4), the consent of the Competition and Markets Authority is to be given by an authorised member of the Competition and Markets Authority.”,
 - (c) in sub-paragraph (6), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (30) In paragraph 31, in sub-paragraphs (1), (5) and (6), for “Competition Commission” (in each place where it occurs) substitute “ CMA Board ”.
- (31) In paragraph 32—
- (a) in sub-paragraph (1)—
 - (i) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (ii) for “the Commission” substitute “ the Competition and Markets Authority ”,
 - (b) in sub-paragraph (2)—
 - (i) for “Competition Commission” substitute “ Competition and Markets Authority ”, and
 - (ii) for “the Commission” substitute “ the Competition and Markets Authority ”, and
 - (c) in sub-paragraphs (3) and (4), for “Competition Commission” (in each place where it occurs) substitute “ group ”.
- (32) In paragraph 34—
- (a) for “Competition Commission” substitute “ Competition and Markets Authority or a member of the Competition and Markets Authority ”, and
 - (b) “it must publish or send it” substitute “it must be published or sent”.
- (33) In paragraph 35, in sub-paragraph (1)—
- (a) for the definition of “authorised member of the Competition Commission” substitute—
 - ““authorised member of the Competition and Markets Authority—
 - (a) in relation to a power exercisable in connection with an appeal or application or direction in respect of which a group has been constituted by the chair of the Competition and Markets Authority under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, means a member of that group who has been authorised by the chair of the Competition and Markets Authority to exercise that power;
 - (b) in relation to a power exercisable in connection with an application for permission to bring an appeal, or otherwise in connection with an appeal or application or direction in respect of which a group has not been so constituted by the chair of the Competition and Markets Authority, means—

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- (i) any member of the CMA Board who is also a member of the CMA panel, or
- (ii) any member of the CMA panel authorised by the Secretary of State (whether generally or specifically) to exercise the power in question;”,
- (b) omit the definition of “Chairman”,
- (c) omit the definition of “a group”, and
- (d) before the definition of “intervener” insert—

““CMA Board” and “CMA panel” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013;”.

Commencement Information

I148 Sch. 6 para. 148 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

PART 2

AMENDMENTS TO OTHER ENACTMENTS

Electricity (Northern Ireland) Order 1992 (SI 1992/231 (N.I. 1))

149 The Electricity (Northern Ireland) Order 1992 is amended as follows.

Commencement Information

I149 Sch. 6 para. 149 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

150 In article 2 (interpretation), in paragraph (2), before the definition of “the Department” insert—

““the CMA” means the Competition and Markets Authority;”.

Commencement Information

I150 Sch. 6 para. 150 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

151 (1) Article 15 (modification references) is amended as follows.

(2) In paragraph (1)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(3) In paragraph (2)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(4) In paragraph (3), for “Competition Commission” substitute “ CMA ”.

(5) In paragraph (5)—

- (a) for “Competition Commission” substitute “ CMA ”, and

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- (b) for “the Commission” substitute “ the CMA ”.
- (6) In paragraph (6)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (7) In paragraph (7), for “Competition Commission” substitute “ CMA ”.
- (8) After paragraph (7) insert—
 - “(7A) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 15B and 17A).”
- (9) In paragraph (9), for the words from “members” to the end substitute “ persons to membership of the CMA for the purpose of being available for selection as members of a group constituted to carry out functions on behalf of the CMA with respect to a reference under this Article ”.
- (10) In paragraph (9A), for “selecting” substitute “ constituting ”.
- (11) In the heading, for “Monopolies Commission” substitute “ CMA ”.

Commencement Information

I151 Sch. 6 para. 151 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 152 In article 15A (references under article 15: time limits), in paragraphs (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I152 Sch. 6 para. 152 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 153 (1) Article 16 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “ CMA ”.
 - (3) In paragraph (1A)—
 - (a) for “Competition Commission” substitute “ CMA ”, and
 - (b) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.
 - (4) In paragraphs (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I153 Sch. 6 para. 153 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 154 In article 17 (modification following report), in paragraphs (1) and (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I154 Sch. 6 para. 154 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 155 (1) Article 17A (power to veto modifications following report) is amended as follows.
- (2) In paragraph (1), for the words from the beginning to “Commission”)” substitute “The CMA”.
- (3) In paragraphs (2) to (8), (10) to (12), (14) and (16), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission's” substitute “CMA's”.

Commencement Information

I155 Sch. 6 para. 155 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 156 In article 18 (modification by order under other statutory provisions), in paragraph (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.

Commencement Information

I156 Sch. 6 para. 156 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 157 (1) Article 53 (annual and other reports) is amended as follows.
- (2) In paragraph (1)(a)(ii), for “Competition Commission” substitute “CMA's”.
- (3) Omit paragraph (6).

Commencement Information

I157 Sch. 6 para. 157 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Gas (Northern Ireland) Order 1996 (SI 1996/275 (N.I.2))

- 158 The Gas (Northern Ireland) Order 1996 is amended as follows.

Commencement Information

I158 Sch. 6 para. 158 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 159 In article 2 (interpretation), in paragraph (2), before the definition of “construction” insert—

““the CMA” means the Competition and Markets Authority;”.

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Commencement Information

I159 Sch. 6 para. 159 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 160 (1) Article 15 (modification references) is amended as follows.
- (2) In paragraph (1)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (3) In paragraph (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (4) In paragraph (3)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (5) In paragraph (4), for “Competition Commission” substitute “ CMA ”.
- (6) In paragraph (6)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (7) In paragraph (7)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (8) In paragraph (8), for “Competition Commission” substitute “ CMA ”.
- (9) After paragraph (8) insert—
- “(8A) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 15B and 17A).”
- (10) In the heading, for “Monopolies Commission” substitute “ Competition and Markets Authority ”.

Commencement Information

I160 Sch. 6 para. 160 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 161 In article 15A (references under article 15: time limits), in paragraphs (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I161 Sch. 6 para. 161 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 162 (1) Article 16 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
- (3) In paragraph (1A)—
- (a) for “Competition Commission” substitute “CMA”, and
 - (b) for the words from “in connection with” to the end substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In paragraphs (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I162 Sch. 6 para. 162 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 163 In article 17 (modification following report), in paragraphs (1) and (5A), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I163 Sch. 6 para. 163 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 164 (1) Article 17A (power to veto modifications following report) is amended as follows.
- (2) In paragraph (1), for the words from the beginning to “Commission”)” substitute “The CMA”.
- (3) In paragraphs (2) to (10), (13) to (15), (17) and (19), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Competition Commission's” substitute “CMA's”.

Commencement Information

I164 Sch. 6 para. 164 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 165 In article 18 (modification by order under other statutory provisions), in paragraph (1), for “Office of Fair Trading, the Competition Commission” substitute “CMA”.

Commencement Information

I165 Sch. 6 para. 165 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 166 (1) Article 32 (annual and other reports) is amended as follows.
- (2) In paragraph (1)(a)(ii), for “Monopolies Commission's” substitute “CMA's”.
- (3) Omit paragraph (6).

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Commencement Information

I166 Sch. 6 para. 166 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Energy (Northern Ireland) Order 2003 (SI 2003/419 (N.I. 6))

167 The Energy (Northern Ireland) Order 2003 is amended as follows.

Commencement Information

I167 Sch. 6 para. 167 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 168 (1) Article 6 (annual and other reports of the Authority) is amended as follows.
- (2) In paragraph (1)(b), for “Competition Commission” substitute “ Competition and Markets Authority ”.
- (3) Omit paragraph (10).

Commencement Information

I168 Sch. 6 para. 168 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 169 In article 38 (modification of licences), in paragraphs (1) and (2), for “, the Office of Fair Trading or the Competition Commission” (in each place where those words occur) substitute “ or the Competition and Markets Authority ”.

Commencement Information

I169 Sch. 6 para. 169 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 170 (1) Schedule 2 (orders altering licensable activities) is amended as follows.
- (2) In paragraph 1, after sub-paragraph (3), insert—
- “ (4) In this Schedule, “the CMA” means the Competition and Markets Authority.”
- (3) In paragraph 2—
- (a) in sub-paragraph (4), for “Competition Commission” substitute “ CMA ”, and
- (b) in sub-paragraphs (5) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) In the italic cross-heading preceding paragraph 3, for “Competition Commission” substitute “ CMA ”.
- (5) In paragraph 3—
- (a) in sub-paragraph (1)—
- (i) for “Competition Commission” substitute “ CMA ”, and
- (ii) for “the Commission” substitute “ the CMA ”,

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(b) in sub-paragraphs (2), (3), (5) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”, and

(c) after sub-paragraph (6), insert—

“(7) The functions of the CMA with respect to a reference under this paragraph (including functions under sections 109 to 115 of the Enterprise Act 2002, as applied by paragraph 5) are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

(6) In paragraph 4—

(a) in sub-paragraph (2), for “Competition Commission” substitute “ CMA ”, and

(b) in sub-paragraph (3), for “Commission” substitute “ CMA ”.

(7) In paragraph 5, in sub-paragraph (4)—

(a) for “Competition Commission” substitute “ CMA ”, and

(b) for the words from “the words” to the end, substitute “ for the words “, OFCOM or the Secretary of State” there were substituted “or OFCOM” ”.

(8) In paragraph 6—

(a) in sub-paragraph (1), for “Competition Commission” substitute “ CMA ”,

(b) in sub-paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “ CMA ”,

(c) in sub-paragraph (4)—

(i) for “Commission” substitute “ CMA ”, and

(ii) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”, and

(d) in sub-paragraphs (5) to (9) and (11), for “Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I170 Sch. 6 para. 170 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (SI 2005/3172)

171 The Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 is amended as follows.

Commencement Information

I171 Sch. 6 para. 171 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

172 In article 2 (interpretation), in paragraph (1), for the definition of “the Commission” substitute—

““the CMA” means the Competition and Markets Authority;”.

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Commencement Information

I172 Sch. 6 para. 172 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 173 (1) Article 3 (references) is amended as follows.
- (2) In paragraphs (1), (5) to (9), and (11) and (12), for “Commission” substitute “CMA”.
- (3) After paragraph (12) insert—
- “(13) The functions of the CMA with respect to a reference under this article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by articles 5 and 10).”
- (4) In the heading, for “Commission” substitute “CMA”.

Commencement Information

I173 Sch. 6 para. 173 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 174 In article 4 (references: time limits), in paragraphs (2) and (3), for “Commission” (in each place where it occurs) substitute “CMA”.

Commencement Information

I174 Sch. 6 para. 174 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 175 In article 5 (references: powers of investigation), in paragraph (4)(a), for paragraph (i) substitute—
- “(i) the words “, OFCOM or the Secretary of State” were omitted;”.

Commencement Information

I175 Sch. 6 para. 175 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 176 (1) Article 6 (consultation on proposals) is amended as follows.
- (2) In paragraphs (1) to (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission” substitute “CMA”.

Commencement Information

I176 Sch. 6 para. 176 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 177 (1) Article 7 (reports on references) is amended as follows.

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- (2) In paragraphs (1) to (5), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In paragraph (6)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for the words from “constituted,” to the end substitute “constituted by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference”.
- (4) In paragraphs (7) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraph (10), for “Commission's” substitute “CMA's”.
- (6) In paragraph (12), for “Commission” substitute “CMA”.

Commencement Information

I177 Sch. 6 para. 177 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 178 (1) Article 8 (modifications following report) is amended as follows.
- (2) In paragraph (1), for “Commission” substitute “CMA”.
- (3) In paragraph (2)—
- (a) for “Commission” substitute “CMA”, and
 - (b) for “Commission's” substitute “CMA's”.
- (4) In paragraph (3), for “Commission's” substitute “CMA's”.
- (5) In paragraph (6), for “Commission” substitute “CMA”.

Commencement Information

I178 Sch. 6 para. 178 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 179 (1) Article 9 (power of veto following report) is amended as follows.
- (2) In paragraphs (1) to (3), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In paragraph (4)—
- (a) for “Commission” (in each place where it occurs) substitute “CMA”, and
 - (b) for “Commission's” (in each place where it occurs) substitute “CMA's”.
- (4) In paragraphs (5) to (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (5) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I179 Sch. 6 para. 179 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 180 (1) Article 10 (article 9: supplementary) is amended as follows.
- (2) In paragraphs (2), (3) and (5), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (3) In paragraph (6)(a), for paragraph (i) substitute—
“(i) the words “, OFCOM or the Secretary of State” were omitted;”.

Commencement Information

I180 Sch. 6 para. 180 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Water and Sewerage Services (Northern Ireland) Order 2006 (SI 2006/3336 N.I. 21)

- 181 The Water and Sewerage Services (Northern Ireland) Order 2006 is amended as follows.

Commencement Information

I181 Sch. 6 para. 181 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 182 In article 2 (interpretation), in paragraph (2)—
- (a) after the definition of “the Authority”, insert—
““the CMA” means the Competition and Markets Authority;”, and
- (b) omit the definition of “the OFT”.

Commencement Information

I182 Sch. 6 para. 182 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 183 (1) Article 19 (determinations under conditions of appointment) is amended as follows.
- (2) In paragraph (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.
- (3) In paragraph (3)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “that Commission” (in each place where it occurs) substitute “ the CMA ”.
- (4) In paragraph (4)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (5) In paragraph (5), for “Competition Commission” substitute “ CMA ”.
- (6) In paragraph (6)—
- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

(7) After paragraph (6) insert—

“(7) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act, as applied by paragraph (5) read with Article 27).”

Commencement Information

I183 Sch. 6 para. 183 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

184 (1) Article 21 (modification references) is amended as follows.

(2) In paragraph (1)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(3) In paragraph (2)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” substitute “ the CMA ”.

(4) In paragraph (3), for “Competition Commission” substitute “ CMA ”.

(5) In paragraph (5)—

- (a) for “Competition Commission” substitute “ CMA ”, and
- (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.

(6) In paragraph (6), for “Competition Commission” substitute “ CMA ”.

(7) After paragraph (6) insert—

“(7) The functions of the CMA with respect to a reference under this Article are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by Articles 23 and 27).”

(8) In the heading, for “Competition Commission” substitute “ CMA ”.

Commencement Information

I184 Sch. 6 para. 184 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

185 In article 22 (references under article 21: time limits), in paragraphs (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I185 Sch. 6 para. 185 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 186 (1) Article 24 (reports on modification references) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
- (3) In paragraph (2)—
- (a) for “Competition Commission” substitute “CMA”, and
- (b) for the words from “in connection with” to the end, substitute “by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference in question”.
- (4) In paragraphs (3) to (5), for “Competition Commission” (in each place where it occurs) substitute “CMA”.
- (5) In paragraphs (6) and (7), for “Commission” (in each place where it occurs) substitute “CMA”.
- (6) In paragraph (9), for “Competition Commission” substitute “CMA”.

Commencement Information

I186 Sch. 6 para. 186 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 187 In article 25 (modifications following report), in paragraphs (1) and (5), for “Competition Commission” substitute “CMA”.

Commencement Information

I187 Sch. 6 para. 187 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 188 (1) Article 26 (power of veto following report) is amended as follows.
- (2) In paragraph (1), for “Competition Commission” substitute “CMA”.
- (3) In paragraphs (2) to (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I188 Sch. 6 para. 188 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 189 (1) Article 27 (power of veto following report: supplementary) is amended as follows.
- (2) In paragraph (2), for “Competition Commission” substitute “CMA”.
- (3) In paragraphs (3), (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) In the heading, for “Commission's” substitute “CMA's”.

Commencement Information

I189 Sch. 6 para. 189 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 190 In article 28 (modification by order under other statutory provisions), in paragraph (1)—
- (a) for “OFT, the Competition Commission” substitute “ CMA ”, and
 - (b) for “OFT, the Commission” substitute “ CMA ”.

Commencement Information

I190 Sch. 6 para. 190 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 191 In article 57 (restrictions on disclosure of information), in sub-paragraph (7), for “Competition Commission” substitute “ CMA ”.

Commencement Information

I191 Sch. 6 para. 191 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Legal Services (Scotland) Act 2010 (asp 16)

- 192 The Legal Services (Scotland) Act 2010 is amended as follows.

Commencement Information

I192 Sch. 6 para. 192 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 193 In section 8 (pre-approval consideration), in subsection (1)(b), for “OFT” substitute “ CMA ”.

Commencement Information

I193 Sch. 6 para. 193 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 194 In section 15 (initial considerations), in subsections (1) and (2), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I194 Sch. 6 para. 194 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 195 In section 28 (communicating outside), in subsection (1)(e), for “OFT” substitute “ CMA ”.

Commencement Information

I195 Sch. 6 para. 195 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 196 In section 49 (majority ownership), in subsection (5)(b)(iii), for “OFT” substitute “ CMA ”.

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

Commencement Information

I196 Sch. 6 para. 196 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 197 (1) Section 76 (input) is amended as follows.
- (2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (3) In the heading, for “OFT” substitute “ CMA ”.

Commencement Information

I197 Sch. 6 para. 197 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 198 In section 92 (certification of bodies), in subsections (4) and (5), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I198 Sch. 6 para. 198 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 199 In section 103 (certification of bodies), in subsections (4) and (5), for “OFT” (in each place where it occurs) substitute “ CMA ”.

Commencement Information

I199 Sch. 6 para. 199 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 200 (1) Section 113 (regard to input) is amended as follows.
- (2) In subsections (1) to (3), for “OFT” (in each place where it occurs) substitute “ CMA ”.
- (3) In the heading, for “OFT” substitute “ CMA ”.

Commencement Information

I200 Sch. 6 para. 200 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 201 In section 122 (particular rules), in subsection (2), for “OFT” substitute “ CMA ”.

Commencement Information

I201 Sch. 6 para. 201 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 202 In section 125 (citizens advice bodies), in subsection (4)(b), for “OFT” substitute “ CMA ”.

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

Commencement Information

I202 Sch. 6 para. 202 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 203 In section 147 (further modification), in subsection (3)(d), for “OFT” substitute “CMA”.

Commencement Information

I203 Sch. 6 para. 203 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 204 (1) In section 149 (definitions), in subsection (1)—
- (a) after the definition of “the 2007 Act” insert—

““CMA” means Competition and Markets Authority,” and”
 - (b) omit the definition of “OFT”.

Commencement Information

I204 Sch. 6 para. 204 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 205 In schedule 2 (directions), in paragraph 4, in sub-paragraph (3), for “OFT” (in each place where it occurs) substitute “CMA”.

Commencement Information

I205 Sch. 6 para. 205 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 206 In schedule 5 (amendment of authorisation), in paragraph 4, in sub-paragraph (2)(b)(i), for “OFT” substitute “CMA”.

Commencement Information

I206 Sch. 6 para. 206 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 207 In schedule 6 (rescission of authorisation), in paragraph 4, in sub-paragraph (2)(b)(i), for “OFT” substitute “CMA”.

Commencement Information

I207 Sch. 6 para. 207 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 208 In schedule 7 (surrender of authorisation), in paragraph 3, in sub-paragraph (1)(a)(ii), for “OFT” substitute “CMA”.

Commencement Information

I208 Sch. 6 para. 208 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6. (See end of Document for details)

- 209 In schedule 9 (index of expressions used), in the first table, in the column headed “Whole Act expressions”—
- (a) after the reference to “advocate”, insert a reference to “ CMA ”;
 - (b) omit the reference to “OFT”.

Commencement Information

I209 Sch. 6 para. 209 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 6.