

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

SCHEDULES

SCHEDULE 6

REGULATORY APPEALS ETC: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO ACTS

Railways Act 1993 (c. 43)

69 The Railways Act 1993 is amended as follows.

Commencement Information

II 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 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).”

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

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

Commencement Information

I2 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

I3 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

I4 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

I5 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 ”.

Commencement Information

I6 Sch. 6 para. 74 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, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

- 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

I7 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

I8 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

I9 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”.

Commencement Information

I10 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.

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

- (2) In subsection (1)(b), for “Competition Commission's” substitute “CMA's”.
- (3) Omit subsection (7).

Commencement Information

I11 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

I12 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
 - (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)—

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

- (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

I13 Sch. 6 para. 81 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, Cross Heading: Railways Act 1993 (c. 43).