

SCHEDULE 1

TRANSFER OF FUNCTIONS OF OFT AND COMPETITION COMMISSION TO CMA AND AMENDMENTS CONSEQUENTIAL ON PARTS 3 AND 4 OF THE ACT

PART 2

Amendments to other Acts of Parliament

Patents Act 1977

32.—(1) Section 50A (powers exercisable following merger and market investigations)(1) is amended as follows.

(2) In subsection (1)(a), after “147(2)” insert “, 147A(2)”.

(3) In subsections (1)(b), (2) and (3), for “Competition Commission” substitute “Competition and Markets Authority”.

(4) For subsection (5) substitute—

“(5) References in this section to the Competition and Markets Authority are references to a CMA group except where—

(a) section 75(2) of the Enterprise Act 2002 applies; or

(b) any other enactment mentioned in subsection (1)(a) above applies and the functions of the Competition and Markets Authority under that enactment are being performed by the CMA Board by virtue of section 34C(3) or 133A(2) of the Enterprise Act 2002.”.

(5) In subsection (6)—

(a) for “or 141” substitute “, 141 or 141A”;

(b) for “Competition Commission” substitute “Competition and Markets Authority”; and

(c) for “or 147” substitute “, 147 or 147A”.

(6) After subsection (7), insert—

“(8) In subsection (5) “CMA Board” and “CMA group” have the same meaning as in Schedule 4 to the Enterprise and Regulatory Reform Act 2013.”

(1) Inserted by Schedule 25 to the Enterprise Act 2002.