

## 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

#### Water Industry Act 1991

**93.**—(1) Schedule 4ZA (application of provisions of Enterprise Act 2002 to mergers of water enterprises)<sup>(1)</sup> is amended as follows.

(2) In paragraph 2, for “3 to 6” substitute “2A to 6”.

(3) After paragraph 2, insert—

“**2A.** Where a reference is made to the chair of the CMA under section 32 for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013, the functions of the CMA in relation to the matter are to be carried out on behalf of the CMA by the group so constituted in any case where those functions would be carried out by a group so constituted in relation to a reference under Part 3 of that Act.”

(4) In paragraph 3—

(a) in sub-paragraphs (1) and (2), for “Competition Commission” substitute “CMA”, and

(b) in sub-paragraphs (3) to (6)—

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

(ii) for the words from “in pursuance” to the end substitute “under Schedule 4 to the Enterprise and Regulatory Reform Act 2013”.

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

(6) In paragraph 5, for “OFT” substitute “CMA”.

(7) In paragraphs 6 and 7, for “Competition Commission” substitute “CMA”.

---

(1) Inserted by section 70(2) of and Schedule 6 to the Enterprise Act 2002. There are amendments to Schedule 4ZA but none is relevant to this Order.