

Schedule

Consequential amendments

Part 1

Primary legislation

Enterprise Act 2002 (c. 40)

- 10.**—(1) The Enterprise Act 2002 is amended as follows.
- (2) Chapter 4 of Part 3 (enforcement) is amended as set out in [sub-paragraphs \(3\) to \(6\)](#).
- (3) In section 85(2) (CMA advice in relation to enforcement action)—
- (a) after “the Secretary of State” insert “or the Chancellor of the Duchy of Lancaster”;
- (b) for “him” substitute “either of them”.
- (4) In section 91 (register of undertakings and orders), at the end insert—
- “(8) In subsection (5), “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (5) In section 92 (duty of CMA to monitor undertakings and orders), at the end insert—
- “(8) In this section, “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (6) In section 94 (rights to enforce undertakings and orders), at the end insert—
- “(10) In subsection (8), “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (7) Schedule 7 (enforcement regime for public interest and special public interest cases) is amended as set out in [sub-paragraphs \(8\) to \(10\)](#).
- (8) In paragraph 3 (accepting of undertakings), at the end insert—
- “(11) In sub-paragraphs (8) and (10), “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (9) In paragraph 5 (orders in case of breach of undertaking etc)—
- (a) in sub-paragraph (1)—
- (i) omit “by him” (in both places it occurs);
- (ii) in paragraph (b), for “to him” substitute “to the Secretary of State”;
- (b) at the end insert—
- “(7) In this paragraph, “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (10) In paragraph 6 (orders to prevent prejudicial action), at the end insert—
- “(8) In this paragraph, “Secretary of State” includes the Chancellor of the Duchy of Lancaster.”
- (11) In Schedule 8 (provision that can be made by orders)—
- (a) in paragraph 20C(3)(c) (determination binding on CMA), after “Secretary of State” insert “or the Chancellor of the Duchy of Lancaster”;
- (b) in paragraph 24 (meaning of “relevant authority”)—
- (i) omit the “and” after paragraph (b);

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(ii) at the end insert “; and

(d) in the case of an order to be made by the Chancellor of the Duchy of Lancaster, the Chancellor of the Duchy of Lancaster.”