



Competition Act 1998

1998 CHAPTER 41

PART I

COMPETITION

CHAPTER V

MISCELLANEOUS

[^{F1}Findings of infringements]

Textual Amendments

- F1** S. 58A and cross-heading inserted (20.6.2003) by [Enterprise Act 2002 \(c. 40\), s. 20\(1\)\(2\)](#), 279 (with s. 20(2)); [S.I. 2003/1397, art. 2\(1\)](#), Sch.

[^{F2}58A Infringement decisions

- (1) This section applies to a claim in respect of an infringement decision which is brought in proceedings—
 - (a) before the court, or
 - (b) before the Tribunal under section 47A or 47B.
- (2) The court or the Tribunal is bound by the infringement decision once it has become final.
- (3) An infringement decision specified in section 47A(6)(a) or (b) becomes final—
 - (a) when the time for appealing against that decision expires without an appeal having been brought; [^{F3} or
 - (b) where an appeal has been brought against the decision, when—

Status: Point in time view as at 09/03/2017.

Changes to legislation: Competition Act 1998, Cross Heading: Findings of infringements is up to date with all changes known to be in force on or before 04 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) the appeal and any further appeal in relation to the decision has been decided or has otherwise ended, and
 - (ii) the time for appealing against the result of the appeal or further appeal has expired without another appeal having been brought.]
- (4) An infringement decision specified in section 47A(6)(c) becomes final—
- (a) when the time for appealing against that decision in the European Court expires without an appeal having been brought; or
 - [^{F4}(b) where such an appeal has been brought against the decision, when—
 - (i) the appeal and any further appeal in the European Court in relation to the decision has been decided or has otherwise ended, and
 - (ii) the time for appealing against the result of the appeal or further appeal in the European Court has expired without another appeal having been brought.]
- (5) This section applies to the extent that the court or the Tribunal would not otherwise be bound by the infringement decision in question.
- (6) In this section “the court” means—
- (a) in England and Wales or Northern Ireland, the High Court,
 - (b) in Scotland, the Court of Session or the sheriff.]

Textual Amendments

- F2** S. 58A substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\), s. 100\(5\), Sch. 8 para. 14\(1\)](#) (with [Sch. 8 para. 14\(2\)](#)); S.I. 2015/1630, art. 3(j)
- F3** S. 58A(3)(b) and word substituted for s. 58A(3)(b)-(d) (9.3.2017) by [The Claims in respect of Loss or Damage arising from Competition Infringements \(Competition Act 1998 and Other Enactments \(Amendment\)\) Regulations 2017 \(S.I. 2017/385\), reg. 1\(2\), Sch. 2 para. 8\(2\)](#) (with [Sch. 2 para. 8\(4\)](#))
- F4** S. 58A(4)(b) substituted (9.3.2017) by [The Claims in respect of Loss or Damage arising from Competition Infringements \(Competition Act 1998 and Other Enactments \(Amendment\)\) Regulations 2017 \(S.I. 2017/385\), reg. 1\(2\), Sch. 2 para. 8\(3\)](#) (with [Sch. 2 para. 8\(4\)](#))

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