
Changes to legislation: Competition Act 1998, Paragraph 40 is up to date with all changes known to be in force on or before 25 July 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) View outstanding changes

SCHEDULES

SCHEDULE 13

TRANSITIONAL PROVISIONS AND SAVINGS

PART V

THE FAIR TRADING ACT 1973

References to the Monopolies and Mergers Commission

- 40 (1) If, on the date on which the repeal by this Act of a provision mentioned in subparagraph (2) comes into force, the Monopolies and Mergers Commission has not completed a reference which was made to it before that date, continued consideration of the reference may include consideration of a question which could not have been considered if the provision had not been repealed.
- (2) The provisions are—
- (a) sections 10(2), 54(5) and 78(3) and paragraph 3(1) and (2) of Schedule 8 to the Fair Trading Act 1973 (c. 41);
 - (b) section 11(8)(b) of the Competition Act 1980 (c. 21);
 - (c) section 14(2) of the Telecommunications Act 1984 (c. 12);
 - (d) section 45(3) of the Airports Act 1986 (c. 31);
 - (e) section 25(2) of the Gas Act 1986 (c. 44);
 - (f) section 13(2) of the Electricity Act 1989 (c. 29);
 - (g) section 15(2) of the Water Industry Act 1991 (c. 56);
 - (h) article 16(2) of the ^{M1}Electricity (Northern Ireland) Order 1992;
 - (i) section 14(2) of the Railways Act 1993 (c. 43);
 - (j) article 36(3) of the ^{M2}Airports (Northern Ireland) Order 1994;
 - (k) article 16(2) of the ^{M3}Gas (Northern Ireland) Order 1996.

Marginal Citations

- M1** S.I. 1992/231 (N.I. 1).
M2 S.I. 1994/426 (N.I. 1).
M3 S.I. 1996/275 (N.I. 2).

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Competition Act 1998, Paragraph 40 is up to date with all changes known to be in force on or before 25 July 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 5](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 25A(1A) inserted by [2024 c. 13 Sch. 28 para. 9\(3\)](#)
- s. 25B inserted by [2024 c. 13 s. 121\(2\)](#)
- s. 25B(1)(a) words in s. 25B(1) renumbered as s. 25B(1)(a) by [2024 c. 13 Sch. 28 para. 10\(2\)\(a\)](#)
- s. 25B(1)(b) and word inserted by [2024 c. 13 Sch. 28 para. 10\(2\)\(b\)](#)
- s. 25B(2) words inserted by [2024 c. 13 Sch. 28 para. 10\(3\)](#)
- s. 28(2)(g)-(i) inserted by [2024 c. 13 s. 122\(3\)\(b\)](#)
- s. 28A(2)(g)-(i) words omitted by [2024 c. 13 s. 122\(6\)\(b\)](#)
- s. 30(1A) inserted by [2024 c. 13 s. 122\(7\)](#)
- s. 31A(2A) inserted by [2024 c. 13 Sch. 11 para. 2](#)
- s. 31E(4) inserted by [2024 c. 13 Sch. 11 para. 3](#)
- s. 31G-31L and cross-heading inserted by S.I. 2019/93, reg. 8A (as inserted) by [S.I. 2019/1245 reg. 3](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 34(4) inserted by [2024 c. 13 Sch. 11 para. 5](#)
- s. 40A(7)(d) inserted by [2024 c. 13 Sch. 28 para. 11](#)
- s. 40B(5A) inserted by [2024 c. 13 Sch. 10 para. 10\(5\)](#)
- s. 40ZD(3)(a) words in s. 40ZD(3) renumbered as s. 40ZD(3)(a) by [2024 c. 13 Sch. 10 para. 6\(2\)](#)
- s. 40ZD(3)(b) and word inserted by [2024 c. 13 Sch. 10 para. 6\(3\)](#)
- s. 40ZE inserted by [2024 c. 13 Sch. 10 para. 8](#)
- s. 40ZE(1)(a) words inserted by [2024 c. 13 s. 121\(3\)](#)
- s. 42(8) inserted by [2024 c. 13 Sch. 10 para. 11\(3\)](#)
- s. 43(1A) inserted by [2024 c. 13 Sch. 10 para. 12](#)
- s. 44(2A) inserted by [2024 c. 13 Sch. 10 para. 13](#)
- s. 44A and cross-heading inserted by [2024 c. 13 Sch. 13 para. 2](#)
- s. 44B inserted by [2024 c. 13 Sch. 13 para. 15](#)
- s. 46(3)(ha)(hb) inserted by [2024 c. 13 s. 124\(1\)\(a\)](#)
- s. 46(3)(ha)(hb) inserted by S.I. 2019/93, reg. 14(d) (as inserted) by [S.I. 2019/1245 reg. 5](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 47(1)(ca) inserted by S.I. 2019/93, reg. 15(b) (as substituted) by [S.I. 2019/1245 reg. 6](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 47A(3A) inserted by [2024 c. 13 Sch. 3 para. 3](#)
- s. 47DA inserted by [2024 c. 13 Sch. 3 para. 4](#)
- s. 49(1A)(c) and word inserted by [2024 c. 13 Sch. 3 para. 7\(3\)](#)

- s. 60A(10) inserted by [2023 c. 28 s. 6\(10\)](#)
- s. 109B inserted by [2024 c. 13 Sch. 13 para. 16](#)
- Sch. 6A para. 1A inserted by S.I. 2019/93, reg. 29A(2) (as inserted) by [S.I. 2019/1245 reg. 7](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Sch. 6A Pt. 3 inserted by S.I. 2019/93, reg. 29A(4) (as inserted) by [S.I. 2019/1245 reg. 7](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Sch. 8A para. 15(1) Sch. 8A para. 15 renumbered as Sch. 8A para. 15(1) by [2024 c. 13 s. 126\(2\)\(a\)\(i\)](#)
- Sch. 8A para. 7(2A) inserted by [2024 c. 13 s. 116\(6\)\(a\)](#)
- Sch. 8A para. 15(2) inserted by [2024 c. 13 s. 126\(2\)\(a\)\(iii\)](#)
- Sch. 8A para. 19(6A) inserted by [2024 c. 13 Sch. 3 para. 8\(8\)](#)
- Sch. 8A para. 42(1)(a)(b) substituted for words by [2024 c. 13 Sch. 3 para. 8\(11\)](#)
- Sch. 8A para. 15(1) word substituted by [2024 c. 13 s. 126\(2\)\(a\)\(ii\)](#)