



Enterprise and Regulatory Reform Act 2013

2013 CHAPTER 24

PART 4

COMPETITION REFORM

CHAPTER 2

MARKETS

Cross-market investigations

33 Power of CMA to make cross-market references

- (1) Section 131 of the 2002 Act (power to make market investigation references) is amended as follows.
- (2) After subsection (2) insert—
 - “(2A) In a case where the feature or each of the features concerned falls within subsection (2)(b) or (c), a reference under subsection (1) may be made in relation to more than one market in the United Kingdom for goods or services.”
- (3) In subsection (4)(a), for “section 156(1)” substitute “ section 156(A1) or (1) ”.
- (4) In subsection (6)—
 - (a) before the definition of “market in the United Kingdom” insert—

““cross-market reference” means a reference under this section which falls within subsection (2A) or a reference under section 132 which falls within subsection (3A) of that section (and see section 140A);”,

and

Changes to legislation: Enterprise and Regulatory Reform Act 2013, Cross Heading: Cross-market investigations is up to date with all changes known to be in force on or before 19 September 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

(b) after the definition of “market investigation reference” insert—

““ordinary reference” means a reference under this section or section 132 which is not a cross-market reference (and see section 140A);”.

Commencement Information

I1 S. 33 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(b) (with Sch.)

34 Ministerial power to make cross-market references

(1) Section 132 of the 2002 Act (ministerial power to make market investigation references) is amended as follows.

(2) After subsection (3) insert—

“(3A) In a case where the feature or each of the features concerned falls within section 131(2)(b) or (c), a reference under subsection (3) may be made in relation to more than one market in the United Kingdom for goods or services.”

(3) In subsection (4), for “section 156(1)” substitute “ section 156(A1) or (1) ”.

(4) Schedule 9 (which contains amendments of Part 4 of the 2002 Act which are consequential on section 33 and this section) has effect.

Commencement Information

I2 S. 34 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(b) (with Sch.)

Changes to legislation:

Enterprise and Regulatory Reform Act 2013, Cross Heading: Cross-market investigations is up to date with all changes known to be in force on or before 19 September 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 :

- specified provision(s) amendment to earlier commencing SI 2013/1455 art. 3 4 Sch. 3 by [S.I. 2013/2271 art. 2](#)
- specified provision(s) revocation of earlier commencing SI 2015/641 by [S.I. 2015/1558 art. 2](#)

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

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

- s. 25(5) inserted by [2024 c. 13 s. 327\(1\)](#)
- Sch. 4A inserted by [2024 c. 13 s. 327\(2\)](#)