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**Changes to legislation:** There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Water Industry Act 1991 (c. 56). (See end of Document for details)

## SCHEDULES

### SCHEDULE 6

#### REGULATORY APPEALS ETC: MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 1

#### AMENDMENTS TO ACTS

#### *Water Industry Act 1991 (c. 56)*

52 The Water Industry Act 1991 is amended as follows.

#### Commencement Information

**II** Sch. 6 para. 52 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 53 (1) Section 12 (determinations under conditions of appointment) is amended as follows.
- (2) In subsection (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsection (3)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for “that Commission” (in each place where it occurs) substitute “ the CMA ”.
- (4) In subsection (3A), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (5) In subsections (3B) and (3C), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.
- (6) After subsection (3C) insert—
- “(3D) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by subsection (3B) read with section 16B).”

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**Commencement Information**

**I2** Sch. 6 para. 53 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 54 (1) Section 14 (modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for “the Commission” substitute “ the CMA ”.
- (3) In subsection (2)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for “the Commission” substitute “ the CMA ”.
- (4) In subsection (3), for “Competition Commission” substitute “ CMA ”.
- (5) In subsection (5)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for “the Commission” (in each place where it occurs) substitute “ the CMA ”.
- (6) In subsection (6), for “Competition Commission” substitute “ CMA ”.
- (7) After subsection (6) insert—
- “(6A) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 14B and 16B).”
- (8) In the heading, for “Monopolies Commission” substitute “ CMA ”.

**Commencement Information**

**I3** Sch. 6 para. 54 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 55 In section 14A (references under section 14: time limits), in subsections (2) and (3), for “Competition Commission” (in each place where it occurs) substitute “ CMA ”.

**Commencement Information**

**I4** Sch. 6 para. 55 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 56 (1) Section 15 (reports on modification references) is amended as follows.
- (2) In subsection (1), for “Competition Commission” substitute “ CMA ”.
- (3) In subsection (1A)—
- (a) for “Competition Commission” substitute “ CMA ”, and
  - (b) for the words from “in connection with the reference” to the end, substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.

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- (4) In subsections (1B), (3) to (3C) and (4), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

**Commencement Information**

**I5** Sch. 6 para. 56 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 57 In section 16 (modification following report), in subsections (1) and (4A), for “Competition Commission” (in each place where it occurs) substitute “CMA”.

**Commencement Information**

**I6** Sch. 6 para. 57 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 58 (1) Section 16A (power of veto following report) is amended as follows.
- (2) In subsection (1), for the words from the beginning to “the Commission”)” substitute “The CMA”.
- (3) In subsections (2) to (9), for “Commission” (in each place where it occurs) substitute “CMA”.
- (4) Omit subsection (10).
- (5) In the heading, for “Commission's” substitute “CMA's”.

**Commencement Information**

**I7** Sch. 6 para. 58 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 59 (1) Section 16B (power of veto following report: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission's” substitute “CMA's”.

**Commencement Information**

**I8** Sch. 6 para. 59 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 60 In section 17 (modification by order under other enactments), in subsection (1), for “OFT, the Competition Commission” substitute “CMA”.

**Commencement Information**

**I9** Sch. 6 para. 60 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 61 (1) Section 17K (water supply licences: modification references) is amended as follows.
- (2) In subsection (1)—
- (a) for the words from “Competition Commission” to “the Commission”)” substitute “CMA”, and

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- (b) for “Commission to” substitute “ CMA to ”.
- (3) In subsections (2) to (4), (6), (7) and (9), for “Commission” (in each place where it occurs) substitute “ CMA ”.
- (4) After subsection (9) insert—
- “(10) The functions of the CMA with respect to a reference under this section are to be carried out on behalf of the CMA by a group constituted for the purpose by the chair of the CMA under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (including functions relating to the making of modifications following a report on a reference, and functions under sections 109 to 115 of the Enterprise Act 2002, as applied by sections 17M and 17Q).”
- (5) In the heading, for “Competition Commission” substitute “ CMA ”.

**Commencement Information**

**I10** Sch. 6 para. 61 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 62 In section 17L (references under section 17K: time limits), in subsections (2) and (3), for “Commission” (in each place where it occurs) substitute “ CMA ”.

**Commencement Information**

**I11** Sch. 6 para. 62 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 63 (1) Section 17N (water supply licences: reports on modification references) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “ CMA ”.
- (3) In subsection (2)—
- (a) for “Commission” substitute “ CMA ”, and
- (b) for the words from “in connection with” to the end substitute “ by the chair of the CMA for the purpose of carrying out the functions of the CMA with respect to the reference ”.
- (4) In subsections (3) to (7) and (9), for “Commission” (in each place where it occurs) substitute “ CMA ”.

**Commencement Information**

**I12** Sch. 6 para. 63 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 64 In section 17O (water supply licences: modification following report), in subsections (1) and (6), for “Commission” (in each place where it occurs) substitute “ CMA ”.

**Commencement Information**

**I13** Sch. 6 para. 64 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- 65 (1) Section 17P (water supply licences: power of veto following report) is amended as follows.
- (2) In subsections (1) to (8) and (10) and (11), for “Commission” (in each place where it occurs) substitute “CMA”.
- (3) In the heading, for “Commission's” substitute “CMA's”.

**Commencement Information**

**I14** Sch. 6 para. 65 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 66 (1) Section 17Q (section 17P: supplementary) is amended as follows.
- (2) In subsections (2) to (4), (6) and (8), for “Commission” (in each place where it occurs) substitute “CMA”.

**Commencement Information**

**I15** Sch. 6 para. 66 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 67 In section 17R (water supply licences: modification by order under other enactments), in subsection (1), for “OFT, the Commission” substitute “CMA”.

**Commencement Information**

**I16** Sch. 6 para. 67 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 68 In section 219 (general interpretation), in subsection (1)—
- (a) after the definition of “the Authority” insert—
- “the CMA” means the Competition and Markets Authority”, and
- (b) omit the definition of “the OFT”.

**Commencement Information**

**I17** Sch. 6 para. 68 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(d) (with Sch.)

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