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Changes to legislation: There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Schedule 29. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 29

Section 327

DUTY OF EXPEDITION ON SECTORAL REGULATORS IN RESPECT OF THEIR COMPETITION FUNCTIONS

The Civil Aviation Authority (CAA)

- 1 (1) The Civil Aviation Act 2012 is amended as follows.
- (2) In section 61 (functions of the CAA under Part 4 of the Enterprise Act 2002: supplementary), after subsection (11) insert—
- “(12) In making any decision, or otherwise taking action, for the purposes of any relevant 2002 Act functions, the CAA must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”
- (3) In section 63 (functions of the CAA under the Competition Act 1998: supplementary), after subsection (3) insert—
- “(3A) In making any decision, or otherwise taking action, for the purposes of any relevant 1998 Act functions that are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule, the CAA must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

- II** Sch. 29 para. 1 not in force at Royal Assent, see [s. 339\(1\)](#)

- 2 In section 86 of the Transport Act 2000 (functions of the CAA with respect to competition) after subsection (7) insert—
- “(8) In making any decision, or otherwise taking action, for the purposes of any of its functions that—
- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,
- the CAA must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

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Commencement Information

I2 Sch. 29 para. 2 not in force at Royal Assent, see [s. 339\(1\)](#)

Commencement Information

I1 Sch. 29 para. 1 not in force at Royal Assent, see [s. 339\(1\)](#)

I2 Sch. 29 para. 2 not in force at Royal Assent, see [s. 339\(1\)](#)

The Financial Conduct Authority (FCA)

- 3 (1) The Financial Services and Markets Act 2000 is amended as follows.
- (2) In section 234I (functions of the FCA under Part 4 of EA 2002), after subsection (8) insert—
- “(9) In making any decision, or otherwise taking action, for the purposes of any of its functions that, by virtue of this section, are functions exercisable concurrently with the CMA, the FCA must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”
- (3) In section 234J (functions of the FCA under CA 1998), after subsection (5) insert—
- “(6) In making any decision, or otherwise taking action, for the purposes of any of its functions that—
- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,
- the FCA must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I3 Sch. 29 para. 3 not in force at Royal Assent, see [s. 339\(1\)](#)

The Northern Ireland Authority for Utility Regulation

- 4 In Article 29 of the Water and Sewerage Services (Northern Ireland) Order 2006 ([S.I. 2006/3336 \(N.I. 21\)](#)) (functions of the Northern Ireland Authority for Utility Regulation with respect to competition), after paragraph (10) insert—
- “(11) In making any decision, or otherwise taking action, for the purposes of any of its functions that—
- (a) by virtue of this Article, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

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the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I4 Sch. 29 para. 4 not in force at Royal Assent, see [s. 339\(1\)](#)

5 In Article 23 of the Gas (Northern Ireland) Order 1996 ([S.I. 1996/275 \(N.I. 2\)](#)) (functions of the Northern Ireland Authority for Utility Regulation with respect to competition), after paragraph (9) insert—

“(10) In making any decision, or otherwise taking action, for the purposes of any of its functions that—

- (a) by virtue of this Article, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I5 Sch. 29 para. 5 not in force at Royal Assent, see [s. 339\(1\)](#)

6 In Article 46 of the Electricity (Northern Ireland) Order 1992 ([S.I. 1992/231 \(N.I. 1\)](#)) (functions of the Northern Ireland Authority for Utility Regulation with respect to competition), at the end insert—

“(8) In making any decision, or otherwise taking action, for the purposes of any of its functions that—

- (a) by virtue of this Article, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I6 Sch. 29 para. 6 not in force at Royal Assent, see [s. 339\(1\)](#)

Commencement Information

I4 Sch. 29 para. 4 not in force at Royal Assent, see [s. 339\(1\)](#)

I5 Sch. 29 para. 5 not in force at Royal Assent, see [s. 339\(1\)](#)

I6 Sch. 29 para. 6 not in force at Royal Assent, see [s. 339\(1\)](#)

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The Office of Communications (OFCOM)

- 7 (1) The Communications Act 2003 is amended as follows.
- (2) In section 370 (functions of OFCOM under Part 4 of EA 2002), after subsection (12) insert—
- “(13) In making any decision, or otherwise taking action, for the purposes of any of its functions that, by virtue of this section, are functions exercisable concurrently with the CMA, OFCOM must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”
- (3) In section 371 (functions of OFCOM under CA 1998), after subsection (12) insert—
- “(13) In making any decision, or otherwise taking action, for the purposes of any of its functions that—
- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,
- OFCOM must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I7 Sch. 29 para. 7 not in force at Royal Assent, see [s. 339\(1\)](#)

The Office of Gas and Electricity Markets (Ofgem)

- 8 In section 36A of the Gas Act 1986 (functions of Ofgem with respect to competition), after subsection (10) insert—
- “(11) In making any decision, or otherwise taking action, for the purposes of any of its functions that—
- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,
- the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I8 Sch. 29 para. 8 not in force at Royal Assent, see [s. 339\(1\)](#)

- 9 In section 43 of the Electricity Act 1989 (functions of Ofgem with respect to competition) at the end insert—
- “(8) In making any decision, or otherwise taking action, for the purposes of any of its functions that, by virtue of this section—
- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and

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(b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule, the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I9 Sch. 29 para. 9 not in force at Royal Assent, see [s. 339\(1\)](#)

Commencement Information

I8 Sch. 29 para. 8 not in force at Royal Assent, see [s. 339\(1\)](#)

I9 Sch. 29 para. 9 not in force at Royal Assent, see [s. 339\(1\)](#)

The Office of Rail and Road (ORR)

10 In section 67 of the Railways Act 1993 (functions of the ORR with respect to competition) at the end insert—

“(11) In making any decision, or otherwise taking action, for the purposes of any of its functions that—

(a) by virtue of this section, are functions exercisable concurrently with the CMA, and

(b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

the Office of Rail and Road must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I10 Sch. 29 para. 10 not in force at Royal Assent, see [s. 339\(1\)](#)

The Payment Systems Regulator

11 (1) The Financial Services (Banking Reform) Act 2013 is amended as follows.

(2) In section 59 (functions of the Payment Systems Regulator under Part 4 of EA 2002), after subsection (6) insert—

“(7) In making any decision, or otherwise taking action, for the purposes of any of its functions that, by virtue of this section, are functions exercisable concurrently with the CMA, the Payment Systems Regulator must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

(3) In section 61 (functions of the Payment Systems Regulator under CA 1998), after subsection (5) insert—

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“(6) In making any decision, or otherwise taking action, for the purposes of any of its functions that—

- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

the Payment Systems Regulator must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I11 Sch. 29 para. 11 not in force at Royal Assent, see [s. 339\(1\)](#)

The Water Services Regulation Authority (Ofwat)

12 In section 31 of the Water Industry Act 1991 (functions of Ofwat with respect to competition) at the end insert—

“(10) In making any decision, or otherwise taking action, for the purposes of any of its functions that—

- (a) by virtue of this section, are functions exercisable concurrently with the CMA, and
- (b) in the case of functions under the Competition Act 1998, are functions within [Schedule 4A](#) to the Enterprise and Regulatory Reform Act 2013 by virtue of [paragraph 5](#) of that Schedule,

the Authority must have regard to the need for making a decision, or taking action, as soon as reasonably practicable.”

Commencement Information

I12 Sch. 29 para. 12 not in force at Royal Assent, see [s. 339\(1\)](#)

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