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STATUTORY INSTRUMENTS

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**1996 No. 2199**

**The EC Competition Law (Articles 88  
and 89) Enforcement Regulations 1996**

**Undertakings following a report**

**22.**—(1) In any circumstances where the Secretary of State has power to make an order under regulation 21 it shall be the duty of the Director to comply with any request of the Secretary of State to consult with any persons mentioned in the request (“the relevant parties”) with a view to obtaining from them undertakings to take action indicated in the request made to the Director as being action requisite in the opinion of the Secretary of State, for the purpose of terminating or preventing the recurrence of the infringement of Article 85 or 86 concerned, or of enabling the Secretary of State to make a declaration under regulation 19.

(2) Subsections (2) to (5) of section 88 of the 1973 Act shall apply in relation to consultation under paragraph (1), undertakings given in pursuance of them and orders made under regulation 21, as if —

- (a) references to the appropriate Minister were references to the Secretary of State;
- (b) references to powers under section 56 were to powers under regulation 21;
- (c) references to the “relevant parties” were construed in accordance with paragraph (1) above.