

## SCHEDULE 4

### CONSEQUENTIAL AMENDMENTS

#### *Competition Act 1998 (c. 41)*

- 15.**—(1) In Schedule 1 to the Competition Act 1988 (exclusions: mergers and concentrations)—
- (a) the reference in paragraph 5(a) and (b) to section 62 of the Enterprise Act 2002 shall have effect as if it included a reference to article 5 of the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003; and
  - (b) the reference in paragraph 5(b) to a special merger situation shall have effect as if it included a reference to a European relevant merger situation.
- (2) In Schedule 7 to the Competition Act 1998 (the Competition Commission)—
- (a) the reference in paragraph 15(8) to section 64(1) of the Enterprise Act 2002 shall have effect as if it included a reference to article 7(1) of the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003;
  - (b) in paragraph 19A(9) the reference in the definition of “merger reference group” to section 62 of the Enterprise Act 2002 shall have effect as if it included a reference to article 5 of the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003;
  - (c) the reference in paragraph 20(4) to Part 3 of the Enterprise Act 2002 shall have effect as if it included a reference to the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003;
  - (d) the reference in paragraph 20(4)(a) and (b) to—
    - (i) section 63 of that Act shall have effect as if it included a reference to article 6 of the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003; and
    - (ii) a special merger situation shall have effect as if it included a reference to a European relevant merger situation; and
  - (e) the reference in paragraph 20(4)(a) to special public interest merger references shall have effect as if it included a reference to European public interest merger references.
- (3) In Schedule 7A to the Competition Act 1998 (the Competition Commission: procedural rules for mergers and market references etc) in paragraph 1 the reference in the definition of “merger investigation” to section 62 of the Enterprise Act 2002 shall have effect as if it included a reference to article 5 of the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003.