

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order excludes land agreements, as defined in the Order, from the prohibition on anti-competitive agreements imposed by section 2 of the Competition Act 1998 (c. 41) (“the Chapter I prohibition”). The Order provides for a power to withdraw the exclusion from a particular agreement, and that an agreement to the like object or effect between the same parties to an agreement from which the exclusion is withdrawn is not excluded.

This Order revokes the Competition Act 1998 (Land and Vertical Agreements Exclusion) Order 2000 (S.I. 2000/310) (“the 2000 Order”). The 2000 Order excludes land agreements and vertical agreements from the Chapter I prohibition. The main difference between the two orders is that this Order does not exclude vertical agreements from the Chapter I prohibition except to the extent that a vertical agreement is a land agreement.

A Regulatory Impact Assessment has been prepared. A copy can be obtained from the Modernisation Project Team, Consumer and Competition Policy Directorate, Bay 606, 1 Victoria Street, London SW1H 0ET, telephone 020 7215 2174. A copy can also be found at <http://www.dti.gov.uk/ccp/consultations.htm>.