

Status: Point in time view as at 25/07/2003.

Changes to legislation: Deregulation and Contracting Out Act 1994, SCHEDULE 4 is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 12.

SECTION 12: SECTORAL REGULATORS AND TRANSITION

Extent Information

E1 Sch. 4: certain amendments are co-extensive with the enactments they affect see s. 40.

Sectoral regulators

F1

Textual Amendments

F1 Sch. 4 para. 1 repealed (1.3.2000) by 1998 c. 41, s. 74(1)(3), Sch. 12 para. 19(4), **Sch. 14 Pt. I** (with s. 73); S.I. 2000/344, art. 2, **Sch.**

F2

Textual Amendments

F2 Sch. 4 para. 2 repealed (20.6.2003) by Enterprise Act 2002 (c. 40), s. 279, **Sch. 26**; S.I. 2003/1397, art. 2(1) (with art. 8)

3 In each of the following, namely—

- F3**(a)
(b) section 43(6) of the Electricity Act 1989, and
(c) Article 46(6) of the Electricity (Northern Ireland) Order 1992,

(which provide for the Secretary of State or, in Northern Ireland, the Department of Economic Development to determine certain questions in connection with the jurisdictions of the sectoral regulators concerned) for “as to whether” there shall be substituted “in any particular case as to the jurisdiction of the Director under any of the provisions mentioned in ” and the words “applies to any particular case” shall be omitted.

Textual Amendments

F3 Sch. 4 para. 3(a) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3))

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- 4 In section 67(8) of the Railways Act 1993 (corresponding provision in relation to the jurisdiction of the Rail Regulator) for “as to whether” there shall be substituted “ in any particular case as to the jurisdiction of the Regulator under any of the provisions mentioned in ” and the words “applies to any particular case” shall be omitted.

Transition

- 5 (1) Where, immediately before the relevant day, an investigation under section 3 of ^{M1} the Competition Act 1980 has commenced and is being proceeded with, that Act shall, so far as concerns—
- (a) further proceeding with the investigation,
 - (b) publishing, after completion of the investigation, such a report as is mentioned in subsection (10) of that section, and
 - (c) taking action in consequence of the report,
- have effect as if this Act had not been passed.
- (2) For the purposes of this paragraph, an investigation under section 3 of the Competition Act 1980 shall be taken to have commenced once the authority by whom it is to be carried out has performed the duties which subsection (2) of that section requires him to perform before carrying out the investigation.

Marginal Citations

M1 1980 c. 21.

- 6 Where, immediately before the relevant day, an investigation has been completed, but no such report as is mentioned in section 3(10) of the Competition Act 1980 has yet been published, that Act shall, so far as concerns—
- (a) publishing such a report, and
 - (b) taking action in consequence of it,
- have effect as if this Act had not been passed.
- 7 Where, immediately before the relevant day, the authority by whom an investigation under section 3 of the Competition Act 1980 has been carried out is considering what action to take in consequence of a report published under subsection (10) of that section, that Act shall, so far as concerns taking action in consequence of the report, have effect as if this Act had not been passed.
- 8 In paragraphs 5 to 7 above, “relevant day” means the day on which section 12 above comes into force.

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