

Status: Point in time view as at 01/11/2012.

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Reports on references is up to date with all changes known to be in force on or before 22 June 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 10

REFERENCES BY MONITOR TO THE COMPETITION COMMISSION

Reports on references

- 6 (1) In making a report on a reference, the Competition Commission—
- (a) must include in the report definite conclusions on the questions in the reference together with such an account of its reasons for those conclusions as it considers expedient for facilitating a proper understanding of those questions and of its conclusions,
 - (b) where it concludes that any of the matters specified in the reference operate, or may be expected to operate, against the public interest, must specify in the report the effects adverse to the public interest which those matters have or may be expected to have, and
 - (c) where it concludes that any adverse effects so specified could be remedied or prevented by changes in relation to the matters specified in the reference, must specify in the report changes which could remedy or prevent those effects.
- (2) For the purposes of paragraphs 7 and 8, a conclusion in a report of the Commission is to be disregarded if the conclusion is not that of at least two-thirds of the members of the group constituted in connection with the reference in pursuance of paragraph 15 of Schedule 7 to the Competition Act 1998.
- (3) If a member of a group so constituted disagrees with a conclusion in a report made on a reference, the report must, if the member so wishes, include a statement of the member's disagreement and reasons for disagreeing.
- (4) A report of the Commission on a reference must be sent to Monitor.
- (5) On receiving a report on a reference, Monitor must send a copy of it to the Secretary of State.
- (6) Not less than 14 days after the Secretary of State receives that copy, Monitor must send a copy to the relevant persons.
- (7) Not less than 24 hours after complying with sub-paragraph (6), Monitor must publish the report.

Commencement Information

II Sch. 10 para. 6 in force at 1.11.2012 by S.I. 2012/2657, art. 2(2)

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