

Status: Point in time view as at 01/08/2012. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Functions of Commission in relation to reference is up to date with all changes known to be in force on or before 24 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 12

PROCEDURE ON REFERENCES UNDER SECTION 120

VALID FROM 01/09/2013

Functions of Commission in relation to reference

- 3
- (1) The following functions of the Competition Commission must be performed, in accordance with rules under paragraph 11, by a group selected for the purpose by the Chairman of the Commission—
 - (a) considering a reference under section 120;
 - (b) making a determination on the reference;
 - (c) giving directions and taking other steps to give effect to the Commission's determination on the reference.
 - (2) A group selected under this paragraph must consist of three members of the Commission.
 - (3) The Chairman of the Commission must appoint one of the members as chair of the group.
 - (4) The Chairman of the Commission may select a member of the Commission to replace a person as a member of group if—
 - (a) the person being replaced has ceased to be a member of the Commission,
 - (b) the Chairman is satisfied that the person being replaced will be unable, for a substantial period, to perform duties as a member of the group, or
 - (c) it appears to the Chairman that it is inappropriate, because of a particular interest of the person being replaced, for that person to remain a member of the group.
 - (5) The replacement of a member of a group does not prevent the group from continuing after the replacement with anything begun before it.
 - (6) The Chairman of the Commission may be appointed as, or may be selected to replace a person as, a member of a group (including as chair of the group).
 - (7) A decision of a group is effective only if—
 - (a) all the members of the group are present when it is made, and
 - (b) at least two members of the group are in favour of it.

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