

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Paragraph 51. (See end of Document for details)

SCHEDULES

SCHEDULE 4 **U.K.**

THE COMPETITION AND MARKETS AUTHORITY

PART 3 U.K.

THE CMA PANEL

Requirement to make rules of procedure for certain groups

- 51 (1) The CMA Board must make rules of procedure for merger reference groups, market reference groups, and special reference groups.
- (2) Those rules are subject to any provision made by or under any enactment in respect of the procedure of a CMA group.
- (3) Before making rules under this paragraph, the CMA Board must consult such persons as it considers appropriate.
- (4) The CMA Board must publish rules made under this paragraph in whatever manner it considers appropriate for bringing them to the attention of those likely to be affected by them.
- (5) Subject to rules made under this paragraph, and to any provision made by or under any enactment, a CMA group of a type referred to in sub-paragraph (1) may determine its own procedure.
- (6) In this paragraph and paragraph 53—
- (a) “market reference group” means a CMA group constituted in connection with a reference under section 131, 132 or 140A of the Enterprise Act 2002;
 - (b) “merger reference group” means a CMA group constituted in connection with a reference under section 32 of the Water Industry Act 1991 or section 22, 33, 45, or 62 of the Enterprise Act 2002;
 - (c) “special reference group” means a CMA group constituted in connection with a reference under—
 - (i) section 11 of the Competition Act 1980;
 - (ii) section 41E of the Gas Act 1986;
 - (iii) section 56C of the Electricity Act 1989;
 - (iv) section 12, 14 or 17K of the Water Industry Act 1991;
 - ^{F1}(v)
 - (vi) section 13 of, or Schedule 4A to, the Railways Act 1993;
 - ^{F2}(vii)
 - (viii) section 12 of the Transport Act 2000;
 - (ix) section 193 of the Communications Act 2003;

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(x) article 3 of the Water Services etc (Scotland) Act 2005 (Consequential Provisions and Modifications) Order 2005 (SI 2005/3172).

Textual Amendments

- F1** Sch. 4 para. 51(6)(c)(v) omitted (6.2.2015) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Amendment\) \(Gas and Electricity Appeals\) Regulations 2015 \(S.I. 2015/16\)](#), regs. 1(1), **2(4)** (with regs. 3, 4)
- F2** Sch. 4 para. 51(6)(c)(vii) omitted (6.2.2015) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Amendment\) \(Gas and Electricity Appeals\) Regulations 2015 \(S.I. 2015/16\)](#), regs. 1(1), **2(4)** (with regs. 3, 4)

Modifications etc. (not altering text)

- C1** Sch. 4 para. 51(6)(b) modified by SI 2003/1592 Sch. 4 para. 18(d) (as inserted (1.4.2014) by [The Enterprise Act 2002 \(Protection of Legitimate Interests\) \(Amendment\) Order 2014 \(S.I. 2014/891\)](#), arts. 1, **19(5)** (with arts. 20-23))

Commencement Information

- I1** Sch. 4 para. 51 in force at 1.10.2013 for specified purposes by [S.I. 2013/2227](#), **art. 2(k)** (with art. 3)
- I2** Sch. 4 para. 51 in force at 1.4.2014 in so far as not already in force by [S.I. 2014/416](#), **art. 2(1)(c)** (with Sch.)

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