

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, PART 3A. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4 **U.K.**

#### THE COMPETITION AND MARKETS AUTHORITY

#### [<sup>F1</sup>PART 3A **U.K.**

#### THE OIM PANEL

##### Textual Amendments

- F1** Sch. 4 Pt. 3A inserted (31.12.2020) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), s. 59(3), [Sch. 3 para. 8](#) (with s. 55(2)); S.I. 2020/1621, reg. 2(r)

##### *The OIM panel*

- 58A (1) The OIM panel is a panel of persons available for selection as members of a group constituted in accordance with this Part of this Schedule.
- (2) The OIM panel is to consist of—
- (a) the OIM panel chair appointed under paragraph 1(1)(b)(iv), and
  - (b) the other members of the panel appointed under paragraph 1(1)(b)(v).

##### *Constitution of OIM task groups*

- 58B (1) The OIM panel chair may at any time constitute a group in accordance with this Part of this Schedule for the purpose of carrying out on the CMA's behalf functions of the CMA under Part 4 of the United Kingdom Internal Market Act 2020.
- (2) A group constituted as mentioned in sub-paragraph (1) is to be known as an Office for the Internal Market task group (or “OIM task group”).

##### *Membership of OIM task groups*

- 58C (1) The members of an OIM task group are to be selected by the OIM panel chair.
- (2) Each OIM task group is to consist of at least three members of the OIM panel.
- (3) The OIM panel chair must appoint one of the members of an OIM task group to chair the group (“the task group chair”).
- 58D The validity of anything done by an OIM task group is not affected by—
- (a) a vacancy;
  - (b) a defective appointment.

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*Termination of person's membership of an OIM task group*

- 58E A member of the OIM panel may at any time resign from an OIM task group by giving written notice to this effect to the OIM panel chair.
- 58F (1) Sub-paragraph (2) applies if the OIM panel chair considers that—
- (a) a member of an OIM task group will be unable, for a substantial period, to perform their duties as a member of the group, or
  - (b) because of a particular interest of a member of an OIM task group, it is inappropriate for that person to remain a member of the group.
- (2) The OIM panel chair may remove the person in question from membership of the task group.
- 58G A person ceases to be a member of an OIM task group on ceasing to be a member of the OIM panel.

*Replacement of a member of an OIM task group*

- 58H (1) Sub-paragraph (2) applies if a person ceases to be a member of an OIM task group, whether by being removed under paragraph 58F, or otherwise.
- (2) The OIM panel chair may select a replacement member of the group from the OIM panel.

*Continuity on removal or replacement*

- 58I (1) A person's ceasing to be a member of an OIM task group, whether by being removed under paragraph 58F, or otherwise, does not prevent—
- (a) the group from continuing with anything begun before the person ceased to be a member of it;
  - (b) any decision made or direction given by the person while a member of the group from having effect after they have ceased to be a member of the group.
- (2) Sub-paragraph (1) applies whether or not a replacement member of the group is selected under paragraph 58H.

*Powers of chair pending group's constitution and first meeting*

- 58J (1) While an OIM task group is being constituted, the OIM panel chair may take such steps as the OIM panel chair considers appropriate to facilitate the work of the group once it has been constituted.
- (2) The steps taken must be steps that it would be within the power of the group to take, had it already been constituted.

*Independence of OIM task groups*

- 58K (1) In exercising functions which they are authorised to exercise by virtue of any enactment, OIM task groups must act independently of the CMA Board.
- (2) Nothing in sub-paragraph (1) prevents—
- (a) the CMA Board giving information in its possession to an OIM task group, or
  - (b) an OIM task group giving information in its possession to the CMA Board.

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*Casting votes*

- 58L If an OIM task group's vote on any decision is tied, the task group chair is to have a casting vote.

*Procedure of OIM task groups*

- 58M (1) An OIM task group may determine its own procedure (including determining its quorum).
- (2) In determining its procedure under sub-paragraph (1), an OIM task group must have regard to any guidance issued by the CMA Board.]

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