

SCHEDULES

SCHEDULE 1

Section 36

PROCEDURE RELATING TO COMMITMENTS

Application of Schedule

- 1 This Schedule applies for the purposes of Chapters 3 and 4 in relation to—
- (a) accepting a commitment,
 - (b) accepting a variation of a commitment (a “requested variation”), or
 - (c) releasing an undertaking from the requirement to comply with a commitment.

Procedure for accepting a commitment or requested variation

- 2 (1) Before accepting a commitment or a requested variation the CMA must—
- (a) publish a notice under this paragraph, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- (2) The notice must include—
- (a) the commitment or requested variation that the CMA proposes to accept,
 - (b) the conduct requirement or, as the case may be, actual or suspected adverse effect on competition to which the commitment or variation relates,
 - (c) the CMA’s reasons for its proposed decision, and
 - (d) the period within which representations may be made in relation to the proposed commitment or requested variation.
- 3 (1) Before accepting a modification of a commitment or requested variation, of which notice has been given under paragraph 2(1), the CMA must—
- (a) publish a notice under this paragraph, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- (2) The notice must include—
- (a) the proposed modifications,
 - (b) the reasons for them, and
 - (c) the period within which representations may be made in relation to them.
- 4 The CMA must publish notice of its decision on whether to, and the form in which it will, accept a commitment or a requested variation as soon as reasonably practicable.
- 5 The requirements of paragraphs 2 and 3 do not apply in relation to a proposed modification which the CMA does not consider material.

Status: This is the original version (as it was originally enacted).

Procedure for releasing an undertaking from a commitment

- 6 (1) Before releasing an undertaking from a commitment the CMA must—
- (a) publish a notice under this paragraph, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- (2) The notice must include—
- (a) that the CMA proposes to release the undertaking from the commitment,
 - (b) the reasons for the CMA’s proposal, and
 - (c) the period within which representations may be made in relation to the proposal.
- 7 The CMA must publish a notice of its decision on whether to release an undertaking from a commitment as soon as reasonably practicable.