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**Changes to legislation:** There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Paragraph 10. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### MERGERS OF ENERGY NETWORK ENTERPRISES

- 10 (1) Section 75 (order-making power where undertakings under section 73 not fulfilled etc) is amended as follows.
- (2) In subsection (1), in paragraph (a), for “section 73” substitute “section 73(2) or (3B)”.
- (3) In subsection (2), after “73(2)” insert “or (3B) (as the case may be)”.
- (4) For subsection (3) substitute—
- “(3A) In proceeding under subsection (2) for the purposes mentioned in section 73(2) or (3B), the CMA must, in particular, have regard to the need to achieve as comprehensive a solution as is reasonable and practicable to—
- (a) in relation to the purpose mentioned in section 73(2), the substantial lessening of competition mentioned in that subsection and any adverse effects resulting from it;
- (b) in relation to the purpose mentioned in section 73(3B), the prejudice mentioned in that subsection and any adverse effects resulting from it.
- (3B) In proceeding under subsection (2) for the purposes mentioned in section 73(2) or (3B), the CMA may, in particular, have regard to the effect of any action on any relevant customer benefits in relation to the creation of the relevant merger situation concerned.”

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#### Commencement Information

**II** Sch. 6 para. 10 in force at 24.7.2024, see s. 339(3)

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