
Changes to legislation: There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 7

MERGERS INVOLVING NEWSPAPER ENTERPRISES AND FOREIGN POWERS

Further amendments

- 4 (1) In section 86 (enforcement orders: general provisions), in subsection (6), after “section” insert “70C,”.
- (2) In section 88 (contents of certain enforcement orders), in subsection (1), after “section” insert “70C,”.
- (3) In section 94(8) (rights to enforce certain orders)—
- (a) after “made by the Secretary of State under” insert “section 70C(2),”;
 - (b) for “paragraph 2 of that Schedule” substitute “paragraph 2 of Schedule 7”.
- (4) In section 107 (further publicity requirements)—
- (a) in subsection (3), after paragraph (g) insert—
 - “(ga) any foreign state intervention notice given by the Secretary of State;
 - (gb) any report of the CMA under section 70B which the Secretary of State has received,”;
 - (b) after subsection (11) insert—
 - “(12) The Secretary of State must publish any report of the CMA under section 70B which the Secretary of State has received within the period of 7 days beginning with the day on which the Secretary of State receives the report.”
- (5) In section 109 (attendance of witnesses and production of documents etc), in subsection (A1)(b), at the end insert “or a foreign state intervention notice under section 70A”.
- (6) In section 110A (restriction on powers to impose penalties under section 110), after subsection (8) insert—
 - “(8A) Where the section 109 power is exercised for the purpose mentioned in section 109(A1)(b) in connection with a matter that is the subject of a foreign state intervention notice under section 70A, the relevant day is the day when the matter to which the notice relates is finally determined under Chapter 3A (see section 70F).”
- (7) In section 118 (excisions from reports), in subsection (1)—
- (a) omit the “or” at the end of paragraph (aa), and
 - (b) at the end of paragraph (b) insert “, or
 - (c) a report of the CMA under section 70B.”

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- (8) In section 120 (review of decisions under Part 3), in subsection (1A), after paragraph (a) insert—
- “(aa) a decision of the CMA or the Secretary of State in connection with a foreign state newspaper merger situation;”.
- (9) In section 124 (orders and regulations under Part 3)—
- (a) in subsection (3)—
- (i) after “59(6A)” insert “, 70G”;
- (ii) after “above” insert “, or paragraph 15 of Schedule 6B,”;
- (b) in subsection (5), after “65(3),” insert “70C”;
- (c) after subsection (6) insert—
- “(6A) A statutory instrument containing regulations under section 70G or paragraph 15 of Schedule 6B may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”;
- (d) in subsection (10), after “58(3)” insert “or 70G, or paragraph 15 of Schedule 6B”.
- (10) In section 127 (associated persons), in subsection (1)—
- (a) omit the “and” at the end of paragraph (aa), and
- (b) after that paragraph insert—
- “(ab) for the purposes of section 70A(3);”.
- (11) In section 129 (other interpretation provisions), in subsection (1), at the appropriate place insert—
- ““foreign state intervention notice” means a notice under section 70A(1);
- “foreign state newspaper merger situation” is to be interpreted in accordance with section 70A(3);”.
- (12) In the table in section 130 (index of defined expressions), at the appropriate place insert—

“Foreign state intervention notice	Section 70A(1)
Foreign state newspaper merger situation	Section 70A(3)”

- (13) In Schedule 8 (provision that may be contained in certain enforcement orders), in paragraph 20A (newspaper mergers), after sub-paragraph (1) insert—
- “(1A) This paragraph also applies in relation to an order under section 70C(2) (order to prevent foreign control of a newspaper enterprise).”
- (14) In Schedule 10 (procedural requirements for certain enforcement undertakings and orders)—
- (a) in paragraph 1(b), for “section 75” substitute “section 70C, 75”;
- (b) in paragraph 6(b), for “section 75” substitute “section 70C, 75”.

Commencement Information

II Sch. 7 para. 4 in force at Royal Assent, see s. 339(2)(a)

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