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## STATUTORY INSTRUMENTS

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### 2001 No. 2916

#### The EC Competition Law (Articles 84 and 85)Enforcement Regulations 2001

##### **Third party appeals**

**26.**—(1) A person who does not fall within regulation 25(1) or (2) may apply to the Director asking him to withdraw or vary a decision (“the relevant decision”) falling within paragraphs (a) to (f) of regulation 25.

(2) The application must—

- (a) be made in writing, within such period as is specified in the rules in Schedule 1; and
- (b) give the applicant’s reasons for considering that the relevant decision should be withdrawn or (as the case may be) varied.

(3) If the Director decides—

- (a) that the applicant does not have a sufficient interest in the relevant decision,
- (b) that, in the case of an applicant claiming to represent persons who have such an interest, the applicant does not represent such persons, or
- (c) that the persons represented by the applicant do not have such an interest,

he must notify the applicant of his decision.

(4) If the Director, having considered the application, decides that it does not show sufficient reason why he should withdraw or vary the relevant decision, he must notify the applicant of his decision.

(5) Otherwise, the Director must deal with the application in accordance with the rules in Schedule 1.

(6) The applicant may appeal to the tribunal against a decision of the Director notified under paragraph (3) or (4).

(7) The making of an application does not suspend the effect of the relevant decision.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The EC Competition Law (Articles 84 and 85) Enforcement Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2007/1846 reg. 2](#) Sch.
- reg. 26 substituted by [S.I. 2003/1398 Sch. para. 41\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 rule 18(1)(d) revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(iii\)](#)
- Sch. 1 rule 18(2) revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(b\)](#)
- Sch. 1 rule 20 revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(c\)](#)
- Sch. 1 rule 18(1)(b) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(i\)](#)
- Sch. 1 rule 21(1)(b)(i) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(d\)\(i\)](#)
- Sch. 1 rule 21(1)(b)(ii) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(e\)\(i\)](#)
- Sch. 1 rule 18(1)(c) word revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(ii\)](#)
- Sch. 1 rule 21(1)(b)(i) words revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(d\)\(ii\)](#)
- Sch. 1 rule 21(1)(b)(ii) words revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(e\)\(ii\)](#)
- Sch. 1 rule 13(2) words substituted by [S.I. 2002/42 reg. 6](#)
- Sch. 2 para. 5(a)(b) substituted by [S.I. 2003/767 art. 3\(c\)\(ii\)](#)
- reg. 4(5)-(7) inserted by [S.I. 2002/42 reg. 3](#)
- reg. 25(3)(d)(iv) inserted by [S.I. 2002/42 reg. 5\(1\)](#)
- reg. 25(3A) inserted by [S.I. 2002/42 reg. 5\(2\)](#)

**Commencement Orders yet to be applied to the The EC Competition Law (Articles 84 and 85) Enforcement Regulations 2001**

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2003/766 art. 2](#) Sch. commences (2002 c. 40)
- [S.I. 2003/1397 art. 2\(1\)](#) Sch. commences (2002 c. 40)