

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision about the operation of sections 27 and 29 of the Enterprise Act 2002 (“the Act”) in relation to anticipated mergers and public interest intervention notices relating to them. It provides that sections 27 and 29 of the Act apply in relation to such cases, but with certain modifications. The modifications permit one or more events or transactions which have occurred over a period of two years before the date of reference to be aggregated by the decision-making authorities under the Act (OFT, the Secretary of State, and the Competition Commission) with future events or transactions that are in progress or in contemplation for the purposes of deciding whether a merger qualifies for investigation by virtue of Part 3 of the Act.

Changes to legislation:

There are currently no known outstanding effects for the The Enterprise Act 2002 (Anticipated Mergers) Order 2003.