
STATUTORY INSTRUMENTS

2020 No. 1343

The Competition (Amendment etc.) (EU Exit) Regulations 2020

PART 7

Amendment of Part 7 of the 2019 Regulations: saving and transitional provision

CHAPTER 1

Competition Act 1998

Insertion of Part 6A: Concentrations subject to EU controls in accordance with the EU withdrawal agreement

- 40.**—(1) Schedule 4 to the 2019 Regulations is amended as follows.
(2) After paragraph 17, insert—

“PART 6A

Concentrations subject to EU Controls in
accordance with the EU withdrawal agreement

17A.—(1) On and after IP completion day, to the extent to which an agreement (either on its own or when taken together with another agreement) gives rise to, or would if carried out give rise to, a concentration, the prohibition in section 2 of the 1998 Act does not apply to the agreement if the European Commission has exclusive jurisdiction in the matter in accordance with Article 92 of the EU withdrawal agreement.

(2) On and after IP completion day, to the extent to which conduct (either on its own or when taken together with other conduct) gives rise to, or would if pursued give rise to, a concentration, the prohibition in section 18 of the 1998 Act does not apply to the conduct if the European Commission has exclusive jurisdiction in the matter in accordance with Article 92 of the EU withdrawal agreement.

(3) In this paragraph, “concentration” means a concentration with a Community dimension within the meaning of Articles 1 and 3 of Council Regulation (EC) No 139/2004 of 20th January 2004.”