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STATUTORY INSTRUMENTS

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**2022 No. 1272**

**The Competition Act 1998 (Specialisation Agreements Block Exemption) Order 2022**

*Transitional and other miscellaneous provision*

**Transitional provision**

**11.**—(1) In this article, a “pre-existing specialisation agreement” means an agreement entered into before 1st January 2023 which on 1st January 2023—

- (a) does not fall into the category specified in article 3, or falls within that category but does not satisfy the conditions provided for in this Order, and
- (b) immediately before that date satisfied the conditions for exemption provided for in Commission Regulation (EU) 1218/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements<sup>(1)</sup>.

(2) A pre-existing specialisation agreement is to be treated as a specialisation agreement specified in article 3 and meeting the conditions provided for in this Order until the end of 31st December 2024.

(3) Articles 8 to 10 apply to a pre-existing specialisation agreement as they apply to a specialisation agreement.

**Amendment to retained block exemption regulation**

**12.**—(1) Commission Regulation (EU) 316/2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements<sup>(2)</sup> is amended as set out in paragraph (2).

(2) In Article 9, for “Regulation (EU) No 1218/2010” substitute “the Competition Act 1998 (Specialisation Agreements Block Exemption) Order 2022”.

**Review**

**13.**—(1) The Secretary of State must from time to time—

- (a) carry out a review of this Order,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by this Order,
- (b) assess the extent to which those objectives are achieved, and

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(1) EUR 2010/1218, as amended by [S.I. 2019/93](#).

(2) EUR 2014/316, as amended by [S.I. 2019/93](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (c) assess whether those objectives remain appropriate, and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (3) The first report under this article must be published before the end of the period of five years beginning with the day on which this Order comes into force.
- (4) Reports under this article are afterwards to be published at intervals not exceeding five years.

**Expiry**

- 14. This Order ceases to have effect at the end of 31st December 2035.