
STATUTORY INSTRUMENTS

2023 No. 501

**The Competition Act 1998 (Motor Vehicle
Agreements Block Exemption) Order 2023**

Timing of cancellation: breaches of conditions

8.—(1) The cancellation referred to in article 7 (effect of breach of conditions) takes effect from when the breach occurs, except where paragraph (2) applies.

(2) This paragraph applies where the MVA agreement—

- (a) is in breach of the condition in article 6 of the VABEO (market share thresholds) only, or
- (b) does not fall within sub-paragraph (a) only by reason of containing one or more excluded restrictions in breach of either or both of article 10 of the VABEO (excluded restrictions) and article 6 (excluded restriction: MVA), and each excluded restriction is severable from the agreement.

(3) Where paragraph (2) applies—

- (a) article 7(2) to (4) of the VABEO (grace period if market share initially not more than 30%) applies to the MVA agreement as it applies to a vertical agreement, and
- (b) the cancellation takes effect from the end of the grace period referred to in article 7(2) or (3), whichever is relevant.

(4) In paragraph (3)(a), “vertical agreement” has the meaning given in article 3(2) of the VABEO.