STATUTORY INSTRUMENTS

1999 No. 3027

COMPETITION

The Competition Act 1998 (Commission Investigation and Director's Investigation) Order 1999

Made - - - - -	*5th November 1999*
Laid before Parliament	*8th November 1999*
Coming into force - -	*1st March 2000*

The Secretary of State in exercise of the powers conferred on him by sections 61(1) and 71 of the Competition Act 1998(**a**) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Competition Act 1998 (Commission Investigation and Director's Investigation) Order 1999 and shall come into force on 1st March 2000.

Prescribed provisions of Community law

2. For the purposes of the meaning of "Commission investigation" given in section 61(1) of the Competition Act 1998 each of the following is a prescribed provision of Community law relating to Article 85 or 86(**b**)—

(i) Article 14 of Council Regulation (EEC) No. 17/62 the First Regulation implementing Articles 85 and 86 of the Treaty(**c**);

(ii) Article 21 of Council Regulation (EEC) No. 1017/68 applying rules of competition to transport by rail, road and inland waterway(**d**);

(iii) Article 18 of Council Regulation (EEC) No. 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport(**e**); and

(iv) Article 11 of Council Regulation (EEC) No. 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector(**f**).

3. For the purposes of the meaning of "Director's investigation" given in section 61(1) of the Competition Act 1998 each of the following is a prescribed provision of Community law relating to Article 85 or 86—

(i) Article 13 of Council Regulation (EEC) No. 17/62 the First Regulation implementing Articles 85 and 86 of the Treaty;

(ii) Article 20 of Council Regulation (EEC) No. 1017/68 applying rules of competition to transport by rail, road and inland waterway;

(**a**) 1998 c. 41.
(**b**) Article 85 was renumbered Article 81 and Article 86 was renumbered Article 82 as a result of Article 12 of the Treaty signed at Amsterdam on 2nd October 1997 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts.
(**c**) OJ No. L13, 21.2.62, p. 204 (OJ/SE 1959–62, p. 87).
(**d**) OJ No. L175, 22.7.68, p. 1 (OJ/SE 1968(I), p. 302).
(**e**) OJ No. L378, 31.12.86, p. 4.
(**f**) OJ No. L374, 31.12.87, p. 1.

(iii) Article 17 of Council Regulation (EEC) No. 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport; and

(iv) Article 10 of Council Regulation (EEC) No. 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

Kim Howells,
Parliamentary Under Secretary of State
for Consumers and Corporate Affairs,
Department of Trade and Industry

5th November 1999

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the provisions of Community law for the purposes of the meanings of "Commission investigation" and "Director's investigation" given in section 61(1) of the Competition Act 1998.

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