

2011 No. 2886

COMPETITION

**The Competition Act 1998 (Public Policy Exclusion)
(Revocation) Order 2011**

<i>Made</i>	- - - -	<i>29th November 2011</i>
<i>Laid before Parliament</i>		<i>5th December 2011</i>
<i>Coming into force</i>	- -	<i>30th December 2011</i>

The Secretary of State, in exercise of the powers conferred by paragraph 7(1), (2) and (4) of Schedule 3 to the Competition Act 1998^(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Competition Act 1998 (Public Policy Exclusion) (Revocation) Order 2011 and shall come into force on 30th December 2011

Revocation

2. The Competition Act 1998 (Public Policy Exclusion) Order 2007^(b) is revoked.

29th November 2011

Edward Davey
Minister for Employment Relations, Consumer and Postal Affairs
Department for Business, Innovation and Skills

^(a) 1998 c. 41.
^(b) S.I. 2007/1896.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Competition Act 1998 (Public Policy Exclusion) Order 2007 (“the 2007 Order”). Chapter I of the Competition Act 1998 (“the Act”) prohibits agreements between undertakings, decisions by associations of undertakings or concerted practices which may affect trade within the United Kingdom and which have as their object or effect the prevention, restriction or distortion of competition within the United Kingdom. Chapter II of that Act prohibits conduct on the part of one or more undertakings which amounts to the abuse of a dominant position in a market if it may affect trade within the United Kingdom. Paragraphs 7(1),(2) and (4) of Schedule 3 to the Act provide that where the Secretary of State is satisfied that there are exceptional and compelling reasons of public policy he may by order exclude agreements from the Chapter I and II prohibitions. The 2007 Order excluded agreements between two or more members of the Team Complex Weapons (“Team CW”) or between a member of Team CW and any other person together with conduct by a member of Team CW, which had as their purpose of protecting the essential security interests of the United Kingdom from the prohibitions contained in Chapters I and II of the Act.

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