

**S.I. No. 199 of 2002**

**Competition Act, 2002 (Commencement) Order, 2002**

I, Mary Harney, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 2 of the Competition Act, 2002 (No. 14 of 2002), hereby order as follows:

1. This Order may be cited as the Competition Act, 2002 (Commencement) Order, 2002.
2. In this Order “the Act” means the Competition Act, 2002 (No.14 of 2002).
3. The 1<sup>st</sup> day of July, 2002, is appointed as the day on which the following provisions of the Act shall come into operation:
  - (a) Part 1;
  - (b) Part 2 (other than sections 4(8), 5(3), 6(4)(c) and 10);
  - (c) Part 4;
  - (d) Part 5 (other than section 48 (b));and
  - (e) Schedule 1, Schedule 2 (other than paragraph 4 thereof) and Schedule 3.
4. The 1<sup>st</sup> day of January, 2003, is appointed as the day on which the following provisions of the Act shall come into operation :
  - (a) sections 4(8) and 5(3);
  - (b) Part 3;
  - (c) section 48(b);and
  - (d) paragraph 4 of Schedule 2.

Given under my Official Seal,

this 13<sup>th</sup> day of May 2002.

MARY HARNEY

Minister for Enterprise, Trade and Employment

Pn: 11598

**EXPLANATORY MEMORANDUM**

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

This Order appoints the 1<sup>st</sup> of July 2002 and the 1<sup>st</sup> of January 2003 as the dates on which specified sections of the Competition Act 2002 [No. 14 of 2002] come into operation.

Firstly it provides that those Parts of the Act which establish the rules and enforcement of competition (Part 2); the functions of the Competition Authority (Part 4); and other ancillary matters (Parts 1 and 5) will come into operation on the 1<sup>st</sup> of July of 2002. Part 3 of the Act, which makes provision for the control of mergers and acquisitions, together with four related sections, will become effective on the 1<sup>st</sup> of January 2003. The commencement of 2 provisions - section 6(4)(c) and section 10 - has been deferred for the present, the former pending the adoption of a new EU Regulation on the application of Articles 81 and 82 of the Treaty and the latter so as to allow time for the necessary administrative arrangements to be put in place by the Courts Service.

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