

Statutory Instruments

S.I. No. 196 of 2004

Competition Act 2002 (Commencement) Order 2004

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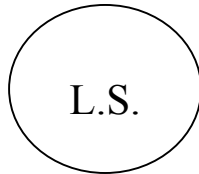
S.I. No. 196 of 2004
Competition Act 2002 (Commencement) Order 2004

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 2004.
2. The 1st day of May, 2004, is appointed as the day on which section 6(4)(c) of the Competition Act 2002 (No. 14 of 2002) shall come into operation.

GIVEN under my Official Seal,

This 30th day of April 2004.



MARY HARNEY
Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

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

This Order brings into operation on 1st May 2004 the provisions of section 6 (4) (c) of the Competition Act 2002 under which it shall be a good defence in proceedings under Article 81 (1) of the Treaty to prove that the agreement, decision or concerted practice fulfils the conditions of Article 81 (3) of the Treaty.

This change coincides with the coming into operation on 1st May 2004 of Council Regulation (EC) No. 1/2003 of 16th December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty under which the provisions of Article 81 (3) of the Treaty become directly applicable.

The only other provision of the Competition Act 2002 which has not yet been commenced is section 10 relating to the provision of information to juries.