



STATUTORY INSTRUMENTS.

S.I. No. 122 of 2007



COMPETITION ACT 2002 (SECTION 18 (5) AND (6)) ORDER 2007

(Prn. A7/0465)

COMPETITION ACT 2002 (SECTION 18 (5) AND (6)) ORDER 2007

WHEREAS subsection (5) of section 18 of the Competition Act 2002 (No. 14 of 2002) enables the Minister for Enterprise, Trade and Employment, where he or she is of opinion that the exigencies of the common good so warrant, to make, after consultation with the Competition Authority, an order specifying a class or classes of merger or acquisition for the purposes of subsection (1)(b) of that section 18;

AND WHEREAS the Minister for Enterprise, Trade and Employment is of opinion that the exigencies of the common good warrant the making of such an order in respect of the class of merger or acquisition specified in this Order;

AND WHEREAS the Competition Authority has been consulted with respect to this Order;

AND WHEREAS subsection (6) of the foregoing section enables the Minister for Enterprise, Trade and Employment to make an order amending or revoking an order made under subsection (5) of the foregoing section;

NOW I, MICHEÁL MARTIN, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by subsections (5) and (6) of the foregoing section, hereby order as follows:

1. This Order may be cited as the Competition Act 2002 (Section 18 (5) and (6)) Order 2007.
2. This Order shall come into operation on 1 May 2007.
3. In this Order, “Act” means the Competition Act 2002 (No. 14 of 2002).
4. The following classes of merger or acquisition are specified for the purposes of section 18 (1)(b) of the Act, namely—
 - (a) the class of each merger and each acquisition in which two or more of the undertakings involved carry on a media business in the State, and
 - (b) the class of each merger and each acquisition in which one or more of the undertakings involved carries on a media business in the State and one or more of the undertakings involved carries on a media business elsewhere.
5. The Competition Act 2002 (Section 18 (5)) Order 2002 (S.I. No. 622 of 2002) is revoked.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 27th March, 2007.



GIVEN under my Official Seal
21 March 2007

MICHEÁL MARTIN
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 applies Part 3 of the Competition Act 2002 to:

- all mergers or acquisitions in which two or more of the undertakings involved carry on a media business in the State, and
- all mergers or acquisitions in which one or more of the undertakings involved carries on a media business in the State and one or more of the undertakings involved carries on a media business elsewhere.

The Competition Act 2002 (Section 18 (5)) Order 2002 S.I. 622 of 2002 is revoked.

Media mergers are also subject to Section 23 of the Act which provides for a review role for the Minister in relation to media mergers.

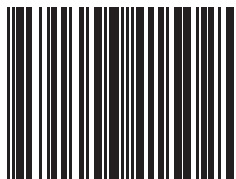
Under Section 18(7) of the Act, this Order has effect from the date on which it is made but will require confirmation by resolution of each House of the Oireachtas within 21 sitting days of its making.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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