



# Fair Trading Act 1973

## 1973 CHAPTER 41

### PART VII

#### PROVISIONS RELATING TO REFERENCES TO ADVISORY COMMITTEE OR TO COMMISSION

#### 81 Procedure in carrying out investigations

- [<sup>F1</sup>(1) The Advisory Committee, in carrying out an investigation on a reference to which section 17 of this Act applies, <sup>F2</sup>. . .,—
- (a) shall take into consideration any representations made to them by persons appearing to them to have a substantial interest in the subject-matter of the reference, or by bodies appearing to them to represent substantial numbers of persons who have such an interest, and
  - (b) unless in all the circumstances they consider it not reasonably necessary or not reasonably practicable to do so, shall permit any such person or body to be heard orally by the Advisory Committee <sup>F2</sup>. . ., or by a member of the Committee <sup>F2</sup>. . . nominated by them for that purpose.
- (2) Subject to subsection (1) of this section, the Advisory Committee <sup>F3</sup>. . . may determine their own procedure for carrying out any investigation on a reference under this Act, and in particular may determine—
- (a) the extent, if any, to which persons interested or claiming to be interested in the subject-matter of the reference are allowed to be present or to be heard, either by themselves or by their representatives, or to cross-examine witnesses or otherwise take part in the investigation, and
  - (b) the extent, if any, to which the sittings of the Advisory Committee <sup>F3</sup>. . . are to be held in public.
- (3) In determining their procedure under subsection (2) of this section, <sup>F4</sup>. . ., the Advisory Committee <sup>F4</sup>. . . shall act in accordance with any general directions which may from time to time be given to them by the Secretary of State.
- (4) The Secretary of State shall lay before each House of Parliament a copy of any directions given by him under subsection (3) of this section.]

*Status: Point in time view as at 29/12/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Fair Trading Act 1973, Part VII. (See end of Document for details)*

#### Textual Amendments

- F1** S. 81 repealed (20.6.2003 for specified purposes, 29.12.2004 in so far as not already in force) by [Enterprise Act 2002 \(c. 40\), s. 279, Sch. 26](#) (with Sch. 24); S.I. 2003/1397, art. 2(1), Sch. (with arts. 3(1), 6, 8); S.I. 2004/3233, art. 2, Sch. (with arts. 3-5)
- F2** Words in s. 81(1) repealed (1.4.1999) by 1998 c. 41, s. 74(1)(3), Sch. 12 para. 1(9)(a)(i)(ii), **Sch. 14 Pt. I** (with s. 73); S.I. 1999/505, art. 2, **Sch. 2**
- F3** Words in s. 81(2) repealed (1.4.1999) by 1998 c. 41, s. 74(1)(3), Sch. 12 para. 1(9)(b), **Sch. 14 Pt. I** (with s. 73); S.I. 1999/505, **art. 2 Sch. 2**
- F4** Words in s. 81(3) repealed (1.4.1999) by 1998 c. 41, s. 74(1)(3), Sch. 12 para. 1(9)(c), **Sch. 14 Pt. I** (with s. 73); S.I. 1999/505, art. 2, **Sch. 2**

#### Modifications etc. (not altering text)

- C1** S. 81 applied with modifications (E.W.) (01.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\), ss. 14\(7\), 223\(2\)](#) (with ss. 82(3), 186(1), 188, 222(1), Sch. 14 para. 6).
- S. 81 extended with modifications (1.4.1992) by S.I. 1992/231 (N.I. 1), **art. 15(8)**; S.R. 1992/117, **art. 3(1)**
- S. 81 modified by [Broadcasting Act 1990 \(c. 42, SIF 96\), s. 39, Sch. 4 para. 4\(7\)\(a\)](#)
- S. 81 applied with modifications (E.W.S.) by [Electricity Act 1989 \(c. 29, SIF 44:1\) s. 12\(8\)](#)
- S. 81 applied with modifications (E.W.) by [Water Act 1989 \(c. 15, SIF 44:2\) ss. 24\(7\), 48\(3\)\(4\)](#)
- S. 81 applied with modifications (E.W.S.) by [Gas Act 1986 \(c. 44, SIF 44:2\), ss. 24\(7\), 48\(3\)\(4\)](#)
- S. 81 applied with modifications (E.W.S.) by [Airports Act 1986 \(c. 31, SIF 9\), s. 44\(3\)](#)
- S. 81 applied (with modifications) (E.W.S.) (1.4.1994) by 1993 c. 43, **s. 13(8)(9)**; S.I. 1994/571, **art. 5**.
- S. 81 applied (with modifications) (N.I.) (10.6.1996) by S.I. 1996/275 (N.I. 2), **art. 15(9)**; S.R. 1996/216, **art. 2**
- S. 81 applied (with modifications) (1.9.1995) by S.I. 1994/426 (N.I. 1), **art. 35(3)**; S.R. 1995/294, **art. 2**
- S. 81 applied (with modifications) (28.8.1996) by S.I. 1996/2199, **art. 16**

#### <sup>F5</sup>**82 General provisions as to reports.**

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#### Textual Amendments

- F5** S. 82 repealed (29.12.2003) by [The Enterprise Act 2002 and Media Mergers \(Consequential Amendments\) Order 2003 \(S.I. 2003/3180\), art. 1\(1\), Sch. para. 1\(4\)](#) (with art. 3)

#### <sup>F6</sup>**83 Laying before Parliament and publication of reports.**

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#### Textual Amendments

- F6** S. 83 repealed (29.12.2003) by [The Enterprise Act 2002 and Media Mergers \(Consequential Amendments\) Order 2003 \(S.I. 2003/3180\), art. 1\(1\), Sch. para. 1\(5\)](#) (with art. 3)

**Status:**

Point in time view as at 29/12/2003.

**Changes to legislation:**

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