



# Fair Trading Act 1973

## 1973 CHAPTER 41

### PART IX

#### AMENDMENTS OF RESTRICTIVE TRADE PRACTICES ACTS

#### 104 Extension of certain powers of Restrictive Practices Court

- (1) In section 20 of the Act of 1956 (jurisdiction and powers of Restrictive Practices Court), in subsection (3) (which enables the Court to make orders imposing certain restraints on parties to an agreement in respect of restrictions found by the Court to be contrary to the public interest), after the words " United Kingdom " there shall be inserted the words " any trade association of which any such person is a member or any person acting on behalf of such a trade association " ; and at the end of that subsection there shall be added the words "or

- (c) where such an agreement as is mentioned in paragraph (b) of this subsection has already been made, from giving effect to that agreement or enforcing or purporting to enforce it;

and, where any of the parties to the agreement against whom the order is made is a member of a trade association, the order may include provisions for restraining the trade association, and any person acting on its behalf, from procuring or assisting any such party to do anything which would be a contravention of the order in its application to him".

- (2) In section 7 of the Act of 1968 (consequences of failure to register), in subsection (3) (which enables the Restrictive Practices Court to make orders imposing certain restraints on parties to an agreement of which particulars have not been duly furnished), after the words " United Kingdom " there shall be inserted the words " any trade association of which any such person is a member or any person acting on behalf of such a trade association " . and for the word " him " there shall be substituted the words " that person or association " ; and after that subsection there shall be inserted the following subsection:—

- “(3A) Where an order is made under subsection (3) of this section against any party to an agreement and that party is a member of a trade association, the order

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may include provisions for restraining the trade association, and any person acting on its behalf, from procuring or assisting that party to do anything which would be a contravention of the order in its application to him”.