



Fair Trading Act 1973

1973 CHAPTER 41

PART X

EXTENSION OF ACT OF 1956 TO AGREEMENTS RELATING TO SERVICES

110 Supplementary provisions as to orders under s.107 or s.108

- (1) An order under section 107 or section 108 of this Act may limit the operation of the order to agreements fulfilling such conditions (in addition to those mentioned in section 107 or section 108, as the case may be) as may be specified in the order.
- (2) In particular, but without prejudice to the generality of the preceding subsection, an order under section 108 of this Act may limit the operation of the order to agreements under which the provision for the furnishing of information (as mentioned in subsection (1)(b) of that section) is provision of a kind specified in the order or provides for the furnishing of information of a kind so specified.
- (3) Subject to subsection (1) of this section—
 - (a) for the purposes of any order under section 107 of this Act it is immaterial whether any restrictions accepted by parties to an agreement relate to the same or to different matters specified in the order for the purposes of subsection (1)(b) of that section, or have the same or a different effect in relation to any matter so specified, and
 - (b) for the purposes of any order under section 108 of this Act it is immaterial whether any provision made by an agreement for or in relation to the furnishing of information relates to the same or to different matters specified in the order for the purposes of subsection (1)(b) of that section,and it is immaterial for those purposes whether the parties accepting any restrictions, or the parties by whom any information is to be furnished, as the case may be, carry on the same class or different classes of business.
- (4) Where, at a time when an order under section 107 or section 108 of this Act (in this subsection referred to as "the earlier order") is in force, another order (in this

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subsection referred to as " the subsequent order ") is made under the same section, the subsequent order may provide that—

- (a) for the purposes of the earlier order, or
- (b) for the purposes of the subsequent order, or
- (c) for the purposes of both orders,

the condition specified in subsection (1)(a) of section 107 or in subsection (1)(a) of section 108 of this Act, as the case may be, shall be treated as fulfilled in relation to an agreement if it is an agreement to which the parties are or include one person carrying on business in the United Kingdom in the supply of services brought under control by the earlier order and one person carrying on business within the United Kingdom in the supply of services brought under control by the subsequent order.

- (5) Subsection (4) of this section shall have effect without prejudice to any power to vary any order made under section 107 or section 108 of this Act.
- (6) In the following provisions of this Part of this Act " the relevant enactments ", in relation to an order under section 107 or section 108 of this Act, means the provisions of this Part of this Act (including whichever of those sections is applicable) as they have effect in relation to that order and the provisions of the Act of 1956 and of the Act of 1968 as applied in relation to that order by the following provisions of this Part of this Act.