



# Fair Trading Act 1973

## 1973 CHAPTER 41

### PART XI

#### PYRAMID SELLING AND SIMILAR TRADING SCHEMES

#### **121 Defences in certain proceedings under Part XI**

- (1) Where a person is charged with an offence under subsection (1) of section 120 of this Act in respect of an advertisement, it shall be a defence for him to prove that he is a person whose business it is to publish or arrange for the publication of advertisements, and that he received the advertisement for publication in the ordinary course of business and did not know, and had no reason to suspect, that its publication would amount to an offence under that subsection.
- (2) Where a person is charged with an offence by virtue of subsection (6) of section 120 of this Act, it shall be a defence for him to prove—
  - (a) that the trading scheme to which the charge relates was in operation before the commencement of this Act, and
  - (b) that the act constituting the offence was committed without his consent or connivance.