



Fair Trading Act 1973

1973 CHAPTER 41

PART V

MERGERS

Newspaper merger references

59 Newspaper merger reference

- (1) Where an application is made to the Secretary of State for his consent to a transfer of a newspaper or of newspaper assets, the Secretary of State, subject to the next following subsection, shall, within one month after receiving the application, refer the matter to the Commission for investigation and report.
- (2) The Secretary of State shall not make a reference to the Commission under the preceding subsection in a case where—
 - (a) by virtue of subsection (3) of section 58 of this Act he is required to give his consent unconditionally without requiring a report from the Commission under this section, or
 - (b) by virtue of subsection (3) or subsection (4) of that section he has power to give his consent without requiring such a report from the Commission, and determines to exercise that power,or where the application is expressed to depend on the operation of subsection (3) or subsection (4) of that section.
- (3) On a reference made to them under this section (in this Act referred to as a "newspaper merger reference") the Commission shall report to the Secretary of State whether the transfer in question may be expected to operate against the public interest, taking into account all matters which appear in the circumstances to be relevant and, in particular, the need for accurate presentation of news and free expression of opinion.