



Fair Trading Act 1973

1973 CHAPTER 41

PART I

INTRODUCTORY

7 Monopoly situation in relation to supply of services

- (1) For the purposes of this Act a monopoly situation shall be taken to exist in relation to the supply of services of any description in the following cases, that is to say, if—
- (a) the supply of services of that description in the United Kingdom is, to the extent of at least one-quarter, supply by one and the same person, or supply for one and the same person, or
 - (b) the supply of services of that description in the United Kingdom is, to the extent of at least one-quarter, supply by members of one and the same group of interconnected bodies corporate, or supply for members of one and the same group of interconnected bodies corporate, or
 - (c) the supply of services of that description in the United Kingdom is, to the extent of at least one-quarter, supply by members of one and the same group consisting of two or more such persons as are mentioned in subsection (2) of this section, or supply for members of one and the same group consisting of two or more such persons, or
 - (d) one or more agreements are in operation, the result or collective result of which is that services of that description are not supplied in the United Kingdom at all.
- (2) The two or more persons referred to in subsection (1)(c) of this section, in relation to services of any description, are any two or more persons (not being a group of interconnected bodies corporate) who whether voluntarily or not, and whether by agreement or not, so conduct their respective affairs as in any way to prevent, restrict or distort competition in connection with the supply of services of that description, whether or not they themselves are affected by the competition, and whether the competition is between persons interested as persons by whom, or as persons for whom, services are supplied.

Status: This is the original version (as it was originally enacted).

- (3) In the application of this section for the purposes of a monopoly reference, the Commission, or the person or persons making the reference, may, to such extent as the Commission, or that person or those persons, think appropriate in the circumstances, treat services as supplied in the United Kingdom if the person supplying the services—
- (a) has a place of business in the United Kingdom, or
 - (b) controls the relevant activities from the United Kingdom, or
 - (c) being a body corporate, is incorporated under the law of Great Britain or of Northern Ireland,
- and may do so whether or not those services would otherwise be regarded as supplied in the United Kingdom.