# RESTRICTIVE TRADE PRACTICES

## REGISTRATION

## 1956 No. 1869

## The Registration of Restrictive Trading Agreements Order, 1956

*Made* - - - - 2*nd August*, 1956
*Coming into Operation* 30*th November*, 1956

The Board of Trade, in pursuance of the powers conferred upon them by sections 9 and 10 of the Restrictive Trade Practices Act, 1956(a), hereby make the following order:—

*Citation, Commencement and Interpretation*

**1.**—(1) This Order may be cited as the Registration of Restrictive Trading Agreements Order, 1956, and shall come into operation on the 30th day of November, 1956.

(2) In this Order—

"the Act" means the Restrictive Trade Practices Act, 1956(a);

"restrictive trading agreements" means agreements to which Part I of the Act applies;

"scheduled agreements" means restrictive trading agreements of the classes described in the Schedule to this Order;

"prescribed period" means, in relation to any agreement, the period within which the particulars to be furnished under section 10 of the Act are to be furnished in respect of that agreement, being a period beginning with the date on which the agreement is made or becomes subject to registration under Part I of the Act, whichever is the later, or with the variation or determination of the agreement, as the case may be;

"agreement" includes any agreement or arrangement, whether or not it is or is intended to be enforceable by legal proceedings, and reference in this Order to restrictions accepted under an agreement shall be construed accordingly;

"restriction" includes any negative obligation, whether express or implied and whether absolute or not.

(3) Where by virtue of any provision of section 6 of the Act Part I of the Act applies to—

(*a*) an agreement conferring privileges or benefits only upon such parties as comply with conditions as to certain matters or imposing obligations upon parties who do not comply with such conditions as if it were an agreement under which restrictions are accepted by each of the parties in respect of those matters; or

(*b*) an agreement made by a trade association as if it were made between the members or persons represented on the association by the members, and, where any restriction is accepted thereunder on the part of the association, as if the like restriction were accepted by each of such members or persons; or

(a) 4 & 5 Eliz. 2. c. 68.

(*c*) an agreement for the constitution of a trade association as if it contained a term by which certain members or persons represented on the association by such members agreed to comply with any recommendations;

the provisions of the Schedule hereto shall apply in like manner.

(4) The Interpretation Act, 1889(a), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if this Order were an Act of Parliament.

*Agreements subject to Registration: Appointed Day*

**2.** Subsection (1) of section 9 of the Act (under which restrictive trading agreements are subject to registration) shall come into force in respect of the scheduled agreements on the 30th day of November, 1956.

*Period for Furnishing Particulars for Registration*

**3.** The prescribed period in respect of scheduled agreements is the period of three calendar months.

Dated this 2nd day of August, 1956.

*Peter Thorneycroft,*
President of the Board of Trade.

## SCHEDULE

AGREEMENTS SUBJECT TO REGISTRATION BY VIRTUE OF THIS ORDER

1. Agreements under which restrictions are accepted by the parties or any of them in respect of the prices to be charged or quoted for goods supplied or offered or for the application of any process of manufacture to goods.

2. Agreements under which restrictions are accepted by the parties or any of them in respect of the prices to be paid for goods acquired or for the application of any process of manufacture to goods.

3. Agreements under which restrictions are accepted by the parties or any of them in respect of the terms or conditions on or subject to which goods are to be supplied or any process of manufacture is to be applied to goods.

4. Agreements under which restrictions are accepted by the parties or any of them in respect of the terms or conditions on or subject to which goods are to be acquired.

5. Agreements under which restrictions are accepted by the parties or any of them in respect of the persons or classes of persons to whom goods are to be supplied or for whom any process of manufacture is to be applied to goods.

6. Agreements under which restrictions are accepted by the parties or any of them in respect of the persons or classes of persons from whom goods are to be acquired.

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## EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order, which comes into operation on the 30th day of November, 1956, makes restrictive trading agreements of the classes described in the Schedule subject to registration under Part I of the Restrictive Trade Practices Act, 1956.

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(a) 52 & 53 Vict. c. 63.

The period, within which particulars relating to agreements are to be furnished to the Registrar of Restrictive Trading Agreements, is the period of three calendar months.

In the case of an agreement which is not subject to registration by virtue of this Order by reason only that the restrictions accepted under it relate only to the supply of goods by export from the United Kingdom, the provisions of subsection (1) of section 31 of the Act will apply.

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## 1956 No. 1654

## The Registration of Restrictive Trading Agreements Regulations, 1956

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| *Made* - - - - | 23*rd October*, 1956 |
| *Laid before Parliament* | 29*th October*, 1956 |
| *Coming into Operation* | 30*th November*, 1956 |

The Registrar of Restrictive Trading Agreements (in these regulations referred to as "the Registrar") in exercise of the powers conferred upon him by sections eleven and nineteen of the Restrictive Trade Practices Act, 1956(a) (in these regulations referred to as "the Act"), hereby orders that the following regulations shall have effect:—

*Procedure to be followed in furnishing particulars of agreements*

**1.**—(1) In respect of every agreement which is subject to registration under Part I of the Act there shall be delivered or sent to the Registrar within the period specified in subsection (5) of section ten of the Act—

(*a*) four copies of each document specified in relation to that agreement in paragraph (3) of this regulation, one copy of each of which is signed or identified by the signature of the person furnishing it, and therewith

(*b*) a certificate on a form provided by the Registrar, signed by the person furnishing those documents and certifying that there are comprised in those documents the whole of the terms of that agreement and the names of the persons who are parties to it (including, in the case of an agreement made by a trade association, all persons who are members of the association or are represented thereon by such members).

(2) Where any person is a party to numerous agreements which are subject to registration under Part I of the Act and which except for the identity of another party thereto or the date thereof or both are in the same form, he may, instead of complying with paragraph (1) of this regulation in respect of each of those agreements individually, deliver or send to the Registrar within the period specified in subsection (5) of section ten of the Act—

(*a*) four copies of each document specified in paragraph (3) of this regulation setting out the whole of the terms common to those agreements, one copy of each of which is signed or identified by the signature of the person furnishing it, and therewith

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(a) 4 & 5 Eliz. 2. c. 68.