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.

1956 No. 1654

The Registration of Restrictive Trading Agreements Regulations, 1956

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.

(*b*) four copies of lists indicating respectively the name of each person who is a party to all those agreements, and the names of the persons each of whom is a party to one of them, and

(*c*) 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 those agreements and the names of all the persons who are parties to them at the date of the certificate (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).

Nothing in this paragraph shall affect the obligations of any person under these regulations in relation to any such agreement made after the date of the certificate referred to in sub-paragraph (*c*) hereof.

(3) In so far as the terms of any agreement which is subject to registration under Part I of the Act are comprised in one or more instruments in writing, each of those instruments (including in relation to an agreement in which a term is implied by virtue of subsection (7) of section six of the Act any specific recommendation to which such a term applies) is a document copies of which are required to be delivered or sent to the Registrar:

Provided that if one or more of those instruments vary another or others of them and either—

(*a*) all those instruments were made before the agreement becomes subject to registration under Part I of the Act, or

(*b*) the agreement becomes subject to registration under Part I of the Act by virtue of an order made under section nine of the Act after the making of the agreement and all those instruments were made before the expiration of the period specified in subsection (5) of section ten of the Act,

the copies of the instruments so varied may indicate and incorporate those variations.

In so far as the terms of any such agreement or 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) are not comprised in one or more instruments in writing, a memorandum in writing setting out the whole of those terms and the names of all those persons is a document copies of which are required to be delivered or sent to the Registrar.

2.—(1) Subject to the provisions of subsection (3) of section ten of the Act and of regulation three of these regulations, if at any time after an agreement has become subject to registration under Part I of the Act that agreement is varied (whether in respect of the parties or in respect of the terms) or is determined otherwise than by effluxion of time, 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 paragraph (2) 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 complete particulars of the variation or determination, as the case may be.

(2) In so far as any such variation or determination is effected by an instrument in writing, that instrument is a document copies of which are required to be delivered or sent to the Registrar.

In so far as any such variation or determination is not effected by an instrument in writing, a memorandum in writing setting out complete particulars thereof is a document copies of which are required to be delivered or sent to the Registrar.

(3) Where particulars of a number of agreements have been delivered or sent to the Registrar in the manner specified in paragraph (2) of regulation one of these regulations, and at any time all of those agreements and any other agreements in the same form, particulars of which have been delivered or sent to the Registrar, (other than any such agreements previously determined) are varied in the same way (whether in respect of the persons who are parties to all of them or in respect of the terms) or are determined otherwise than by effluxion of time, any person who is a party to all those agreements may, instead of complying with paragraph (1) of this regulation in respect of each of them 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 such instrument or memorandum specified in paragraph (2) of this regulation as is required to provide complete particulars of such variation or determination, one copy of each of which is signed or identified by the signature of the person furnishing it, and therewith

(*b*) a list identifying all the agreements so varied or determined, and

(*c*) 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 complete particulars of the variation or determination, as the case may be, and that that list is accurate and complete.

Exemption from furnishing particulars of variations of certain details

3. If at any time after an agreement has become subject to registration under Part I of the Act that agreement is varied in respect solely of such details as the contents of a list of persons (other than persons who are or are deemed to be parties to the agreement), prices or terms, being a list material for the purpose only of defining the particular application from time to time of a continuing restriction accepted under that agreement, then, without prejudice to any power of the Registrar to give a notice requiring the furnishing of any document or information, it shall not be requisite for particulars of that variation to be furnished to the Registrar.

Saving

4. Nothing in regulation one or two of these regulations shall prejudice any obligation under subsection (4) of section ten of the Act in so far as that obligation is not complied with in the course of complying with those regulations.

Application for entry in special section of the register

5. In any case in which a person delivering or sending documents to the Registrar in pursuance of the preceding regulations is of opinion that the whole or a part of the particulars in respect of an agreement, being particulars comprised in any such document, ought to be entered or filed in the special section of the register provided for in regulation six of these regulations, he shall deliver or send with those documents a notice signed by him setting out his opinion and the reasons therefor and identifying the particulars in question.

Contents of the register

6.—(1) Subject to the following provisions of this regulation, the particulars of agreements subject to registration under Part I of the Act to be entered or filed in the register shall be the particulars thereof specified in regulations one and two of these regulations duly furnished to the Registrar and any documents or information which he is authorised under section eighteen of the Act to treat as particulars so furnished.

(2) There shall be maintained a special section of the register (not open to public inspection) in which there shall be entered or filed any such particulars as aforesaid as the Board of Trade may direct by notice given to the Registrar, being particulars described in subsection (3) of section eleven of the Act.

(3) There may be excluded from the particulars of any agreement entered or filed in the register such details as the Registrar may decide as to persons, prices, terms or other matters as are material for the purpose only of defining the particular application from time to time of a continuing restriction accepted under that agreement.

Inspection of the register

7. The hours during which the register, other than the special section, shall be open to public inspection shall be from 10 a.m. until 4.30 p.m. on any day except Saturdays and Sundays and such public holidays and the like as may from time to time be notified by notice posted in a conspicuous place in the office of the Registrar.

Address to which documents are to be delivered or sent

8. Anything required by these regulations to be delivered or sent to the Registrar shall be addressed to—

The Registrar of Restrictive Trading Agreements (Branch R),
Chancery House,
Chancery Lane,
London, W.C.2.

Citation, commencement and interpretation

9.—(1) These regulations may be cited as the Registration of Restrictive Trading Agreements Regulations, 1956, and shall come into operation on the thirtieth day of November, nineteen hundred and fifty-six.

(2) The Interpretation Act, 1889(a), applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament and as if these regulations were an Act of Parliament.

Dated this 23rd day of October, nineteen hundred and fifty-six.

R. L. Sich,
Registrar
of Restrictive Trading Agreements.

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

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations specify the procedure to be followed in furnishing particulars of agreements which become subject to registration under Part I of the Restrictive Trade Practices Act, 1956, by virtue of orders made by the Board of Trade under section 9, and contain provisions relating to the contents and inspection of the register of those agreements. The register will when prepared be maintained in London, Edinburgh and Belfast.

Regulations 1 to 3 specify the documents to be sent to the Registrar for the purpose of inclusion in the register both upon the original registration and when any agreement is varied or determined. Special provision is made for cases in which a person or trade association enters into numerous agreements in a common form. In every case the person sending the documents is required to certify that the particulars given both of the terms of the agreement and the parties thereto are complete. Unless the Registrar specifically requires in any case, particulars need not be sent of variations in the contents of certain lists which only define the particular application from time to time of a continuing restriction.

Under Regulation 5 where the person sending the particulars of an agreement considers that they or any of them ought under section 11 (3) of the Act to be entered on the special section of the register (which is not open to public inspection), he is required to send a notice to that effect with the particulars. The decision whether any such particulars should be so entered rests with the Board of Trade, and the Board will convey their decision to the Registrar on any case in which such a notice is given.

Regulation 6 provides for the entry on the register of particulars sent under the regulations and any document or information which the Registrar is authorised under section 18 of the Act to treat as particulars duly furnished. It provides for the omission from the register if the Registrar so decides of details which are material for the purpose only of defining the particular application from time to time of a continuing restriction. In accordance with section 11 (3) of the Act it provides for the maintenance of the special section of the register which is not open to public inspection.

1956 No. 1655

The Registration of Restrictive Trading Agreements (Fees) Regulations, 1956

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**), hereby orders, with the approval of the Treasury, that the following regulations shall have effect:—

1. The fee to be paid to the Registrar in respect of the inspection of the register or any part thereof by any person on any day shall be one shilling.

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