STATUTORY INSTRUMENTS

1984 No. 1269

RESTRICTIVE TRADE PRACTICES

The Restrictive Trade Practices (Approval of Standards and Arrangements) (Amendment) Order 1984

Made - - - -	*8th August* 1984
Coming into Operation	*29th August* 1984

Whereas section 9(5) of the Restrictive Trade Practices Act 1976**(a)** ("the Act") provides for the approval by the Secretary of State of standards of dimension, design, quality or performance or of arrangements as to the provision of information or advice to purchasers, consumers or users prescribed or adopted by any trade association or other body:

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 9(5), and in accordance with section 42(2), of the Act hereby makes the following Order:—

1. This Order may be cited as the Restrictive Trade Practices (Approval of Standards and Arrangements) (Amendment) Order 1984 and shall come into operation on 29th August 1984.

2. The Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983**(b)** is varied by the deletion of paragraph 1 of the Schedule and the substitution of the following new paragraph—

> "1. Standards of design, quality or performance and arrangements as to the provision of information or advice to purchasers, consumers or users contained in a scheme concerning tobacco product modification and research, drawn up, at the request of Her Majesty's Government, following discussions between the representative commercial organisations and the Department of Health and Social Security, acting also on behalf of the other United Kingdom Health Departments.
>
> The scheme is set out in a document deposited with the Department of Health and Social Security, entitled "Tobacco Product Modification and Research" and adopted by the Tobacco Advisory Council on 16th April 1984."

Eric Wright,
An Under Secretary of the
Department of Trade and Industry.

8th August 1984.

(a) 1976 c. 34.

(b) S.I. 1983/382.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order is made under section 9(5) of the Restrictive Trade Practices Act 1976. This provides for certain terms in an agreement to be disregarded in deciding whether the Act applies to the agreement. The terms to be disregarded are those by which the parties to the agreement (e.g. manufacturers or suppliers of goods) agree to comply with—

(*a*) standards of dimension, design, quality or performance; or

(*b*) arrangements as to the provision of information or advice to purchasers, consumers or users.

Such standards or arrangements, unless approved by the British Standards Institution, must have been prescribed or adopted by a trade association or other body and must be approved by order of the Secretary of State made by statutory instrument.

By this Order, the Secretary of State varies the Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983, to approve new standards and arrangements replacing those mentioned in paragraph 1 of the Schedule to that Order.

The effect of the Order is thus to allow manufacturers and suppliers of tobacco products to agree to comply with these new standards and arrangements without the agreement needing to be registered under the Act and investigated by the Restrictive Practices Court.

A copy of the scheme containing the new standards and arrangements is available for public inspection at all reasonable times and without payment at the offices of the Department of Health and Social Security, Alexander Fleming House, Elephant and Castle, London SE1 6BY. The scheme is marked "Scheme mentioned in article 2 of the Restrictive Trade Practices (Approval of Standards and Arrangements) (Amendment) Order 1984" and signed by an Assistant Secretary in the Department of Health and Social Security.

A copy of the scheme may be obtained from the Department of Health and Social Security at the same address.

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