2002 No. 3204

COMPETITION

The Supply of Beer (Tied Estate) (Revocation) Order 2002

Made - - - - - *20th December 2002*

Coming into force - - *17th January 2003*

Whereas the Secretary of State, in accordance with section 91(1) of, and Schedule 9 to, the Fair Trading Act 1973(**a**), caused notice of her intention to lay a draft of this Order to be published in the *London Gazette*, the *Edinburgh Gazette* and the *Belfast Gazette* on 17th May 2002, the *Financial Times* and the *Independent* on 17th May 2002 and the *Morning Advertiser* on 23rd May 2002, stating that it was proposed to lay a draft of this Order before Parliament, indicating the nature of the provisions to be embodied in it, stating that a copy of the draft would be available to be seen at all reasonable times in the offices of the Department of Trade and Industry at 1 Victoria Street (Room 625) London SW1 and stating that any person whose interests were likely to be affected by this Order and who was desirous of making representations in respect of it should do so in writing before 5th July 2002;

And whereas the Secretary of State considered the representations duly made to her with respect to the draft of this Order and not withdrawn;

And whereas a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament;

Now, therefore, the Secretary of State, being the appropriate Minister within the meaning of section 56 of the said Act, in exercise of powers conferred by sections 56(2), 90(2), (3) and (4) and 134(2) of, and paragraphs 1, 2 and 14 of Schedule 8 to, the said Act, hereby makes the following Order;

Citation and commencement

1. This Order may be cited as the Supply of Beer (Tied Estate) (Revocation) Order 2002 and shall come into force on the twenty eighth day after the day on which it is made.

Revocation

2. The Supply of Beer (Tied Estate) Order 1989(**b**) and the Supply of Beer (Tied Estate) (Amendment) Order 1997(**c**) are hereby revoked.

Melanie Johnson,
Parliamentary Under-Secretary of State for
Competition, Consumers and Markets,
Department of Trade and Industry

20th December 2002

(**a**) 1973 c. 41.
(**b**) S.I. 1989/2390, amended by S.I. 1997/1740.
(**c**) S.I. 1997/1740, amends Article 7 of S.I. 1989/2390.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Supply of Beer (Tied Estate) Order 1989 and the Supply of Beer (Tied Estate) (Amendment) Order 1997, which amends the 1989 Order.

The 1989 Order provided that brewers, and groups of companies including brewers, owning more than two thousand licensed premises had either to dispose of the brewery business or the excess of licensed premises or to release their ties on half the excess by 31st October 1992.

The 1989 Order provides that brewers and brewery groups owning more than two thousand licensed premises must allow their 'tied' premises to sell a draught cask-conditioned beer and, as provided for by the 1997 Order, a bottle-conditioned beer, supplied by someone else and prohibits the imposition of ties relating to non-alcoholic beers, low alcoholic beers and non-beer drinks.

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