



Restrictive Trade Practices Act 1976

1976 CHAPTER 34

PART IV

GENERAL

Proceedings

21 Director's duties as to proceedings for investigation

- (1) The Director may refrain from taking proceedings before the Court—
 - (a) in respect of an agreement if and for so long as he thinks it appropriate so to do having regard to the operation of any directly applicable Community provision and to the purpose and effect of any authorisation or exemption granted in relation to such a provision;
 - (b) where an agreement—
 - (i) of which particulars are entered or filed in the register pursuant to this Act has been determined (whether by effluxion of time or otherwise); or
 - (ii) has been so determined in respect of all restrictions accepted or information provisions made under that agreement.
- (2) If it appears to the Secretary of State, upon the Director's representation, that the restrictions accepted or information provisions made under an agreement of which particulars are so entered or filed are not of such significance as to call for investigation by the Court, the Secretary of State may give directions discharging the Director from taking proceedings in the Court in respect of that agreement during the continuance in force of the directions.
- (3) The Secretary of State may at any time upon the Director's representation withdraw any directions given by him under subsection (2) above if satisfied that there has been a material change of circumstances since the directions were given.

22 Rules of procedure

- (1) Without prejudice to the generality of section 9(1) of the Restrictive Practices Court Act 1976, rules made under that subsection may provide—
- (a) for enabling a single application to be made to the Court in respect of a number of related agreements, or separate applications made in respect of related agreements to be heard together;
 - (b) for enabling the Court to determine in a summary way any issue arising in relation to an agreement where it appears to the Court that the relevant provisions of the agreement and the circumstances of the case are substantially similar to the provisions and circumstances considered, in relation to any other agreement, in any previous proceedings before the Court;
 - (c) for enabling the Court to make an order for the payment by any party to proceedings under sections 1, 2 and 4 above of costs in respect of proceedings in which he is guilty of unreasonable delay, or in respect of any improper, vexatious, prolix or unnecessary proceedings or any other unreasonable conduct on his part.
- (2) The Court—
- (a) does not have power to order the payment of costs by any party to proceedings under sections 1, 2 and 4 above except so far as may be provided by rules made in pursuance of subsection (1)(c) above; but
 - (b) without prejudice to section 9(3) of the Restrictive Practices Court Act 1976, the Court has power in exercise of its jurisdiction under sections 26, 35 and 37 below to order the payment of costs by any party to proceedings before the Court.