



Resale Prices Act 1976

1976 CHAPTER 53

PART II

INDIVIDUAL MINIMUM RESALE PRICE MAINTENANCE

Applications to the Restrictive Practices Court in relation to exemptions

14 Exemption of goods by the Court

- (1) Upon an application under section 16 or section 17 below the Restrictive Practices Court ("the Court") may make an order in accordance with this section directing that goods of any class shall be exempted goods for the purposes of this Part of this Act.
- (2) The order referred to in subsection (1) above may be made if it appears to the Court that in default of a system of maintained minimum resale prices applicable to those goods—
 - (a) the quality of the goods available for sale, or the varieties of the goods so available, would be substantially reduced to the detriment of the public as consumers or users of those goods; or
 - (b) the number of establishments in which the goods are sold by retail would be substantially reduced to the detriment of the public as such consumers or users; or
 - (c) the prices at which the goods are sold by retail would in general and in the long run be increased to the detriment of the public as such consumers or users; or
 - (d) the goods would be sold by retail under conditions likely to cause danger to health in consequence of their misuse by the public as such consumers or users; or
 - (e) any necessary services actually provided in connection with or after the sale of the goods by retail would cease to be so provided or would be substantially reduced to the detriment of the public as such consumers or users;

and in any such case that the resulting detriment to the public as consumers or users of the goods in question would outweigh any detriment to them as such consumers

Status: This is the original version (as it was originally enacted).

or users (whether by the restriction of competition or otherwise) resulting from the maintenance of minimum resale prices in respect of the goods.

In this section—

" necessary services ", in relation to goods, means services which, having regard to the character of the goods, are required to guard against the risk of injury, whether to persons or to premises, in connection with the consumption, installation or use of the goods, or are otherwise reasonably necessary for the benefit of consumers or users; and

" consumers " and " users " include persons consuming or using for the purpose or in the course of trade or business or for public purposes.