

1973 No. 950

RESTRICTIVE TRADE PRACTICES

The Registration of Restrictive Trading Agreements (EEC Documents) Regulations 1973

<i>Made</i>	- - -	22nd May 1973
<i>Laid before Parliament</i>		4th June 1973
<i>Coming into Operation</i>		25th June 1973

The Registrar of Restrictive Trading Agreements (in these regulations referred to as "the Registrar") in exercise of the powers conferred upon him by sections 11 and 19 of the Restrictive Trade Practices Act 1956^(a) (hereinafter referred to as "the Act of 1956") and subsection (2) of section 10 of the European Communities Act 1972^(b) hereby orders that the following regulations shall have effect:—

1.—(1) These regulations may be cited as the Registration of Restrictive Trading Agreements (EEC Documents) Regulations 1973 and shall come into operation on the 25th June 1973.

(2) The Interpretation Act 1889^(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2.—(1) Where in relation to any agreement which is subject to registration under the Act of 1956 any such step or any such decision as is specified in paragraph (2) hereof is or has been taken or given under or for the purposes of any directly applicable Community provision affecting that agreement, there shall be delivered or sent to the Registrar by or on behalf of the parties to that agreement the information so specified in respect of that step or decision within 30 days of the taking or giving thereof or within 30 days of the coming into operation of these regulations, whichever is the later.

(2) The steps, decisions and information referred to are the following:—

- (a) applying for negative clearance for or notifying the agreement to the Commission of the European Communities—a copy of the application or notification submitted to the Commission;
- (b) notification by the Commission to the parties to the agreement of the opportunity to be heard in relation to objections raised against them—a memorandum to that effect specifying the date of the notification;
- (c) a decision of the Commission giving negative clearance in respect of the agreement—four copies of such part of the decision as sets out the effects thereof;

^(a) 1956 c. 68.
^(c) 1889 c. 63.

^(b) 1972 c. 68.

- (d) a decision of the Commission pursuant to article 85(3) of the EEC Treaty given in respect of the agreement—four copies of such part of the decision as sets out the effects thereof;
- (e) a decision of the Commission finding infringement of article 85 of the EEC Treaty by the agreement—four copies of such part of the decision as sets out the effects thereof;
- (f) a decision of the European Court relating to any decision of the Commission hereinbefore described—four copies of such part of the decision as sets out the effects thereof.

3. The particulars of an agreement subject to registration under the Act of 1956 to be entered or filed in the register shall include a copy of any such part of a decision of the Commission of the European Communities or the European Court affecting that agreement furnished in pursuance of regulation 2 hereof.

4. 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 WC2A 1SP.

Rupert Sich,

Registrar of Restrictive Trading Agreements.

22nd May 1973.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 10 of the European Communities Act 1972 enables the Registrar to refrain from taking proceedings before the Restrictive Practices Court in respect of an agreement where appropriate having regard to the operation of Community provisions, and by regulations to require information as to any steps taken or decisions given under or for the purpose of a Community provision affecting an agreement.

These Regulations require parties to agreements to inform the Registrar when notifying an agreement to the Commission or seeking negative clearance therefor and when proceedings are instituted and decisions given in respect of an agreement. Decisions are to be entered on the register with other particulars of the agreement and accordingly four copies are required.

SI 1973/950
ISBN 0-11-030950-2

