



Fair Trading Act 1973

1973 CHAPTER 41

PART I

INTRODUCTORY

5 Principal functions of Commission

- (1) Without prejudice to any other functions assigned to the Commission by or under this Act, it shall be the duty of the Commission, subject to and in accordance with the following provisions of this Act, to investigate and report on any question which may be referred to the Commission under this Act—
 - (a) with respect to the existence, or possible existence, of a monopoly situation, or
 - (b) with respect to a transfer of a newspaper or of newspaper assets (within the meaning of Part V of this Act), or
 - (c) with respect to the creation, or possible creation, of a merger situation qualifying for investigation (within the meaning of Part V of this Act).
- (2) It shall be the duty of the Director, for the purpose of assisting the Commission in carrying out an investigation on a reference made to them under this Act, to give to the Commission—
 - (a) any information which is in his possession and which relates to matters falling within the scope of the investigation, and which is either requested by the Commission for that purpose or is information which in his opinion it would be appropriate for that purpose to give to the Commission without any such request, and
 - (b) any other assistance which the Commission may require, and which it is within his power to give, in relation to any such matters,and the Commission, for the purpose of carrying out any such investigation, shall take account of any information given to them for that purpose under this subsection.
- (3) In this Act " monopoly reference " means any reference to the Commission under this Act which falls within paragraph (a) of subsection (1) of this section; "merger reference" (subject to section 63 of this Act) means any reference to the Commission under this Act which falls within paragraph (b) or paragraph (c) of that subsection; and

Status: This is the original version (as it was originally enacted).

" monopoly situation" (except in sections 6 to 8 of this Act) means circumstances in which, in accordance with the following provisions of this Part of this Act, a monopoly situation is for the purposes of this Act to be taken to exist in relation to any matters specified in section 6(1), section 7(1) or section 8 of this Act.