



Fair Trading Act 1973

1973 CHAPTER 41

PART VIII

ADDITIONAL PROVISIONS RELATING TO REFERENCES TO COMMISSION

93 Enforcement of orders to which s. 90 applies.

- [^{F1}(1) No criminal proceedings shall, by virtue of the making of an order to which section 90 of this Act applies, lie against any person on the grounds that he has committed, or aided, abetted, counselled or procured the commission of, or conspired or attempted to commit, or incited others to commit, any contravention of the order.
- (2) Nothing in the preceding subsection shall limit any right of any person to bring civil proceedings in respect of any contravention or apprehended contravention of any such order, and (without prejudice to the generality of the preceding words) compliance with any such order shall be enforceable by civil proceedings by the Crown for an injunction or interdict or for any other appropriate relief.
- (3) If any person makes default in complying with any directions given under section 90(7) of this Act, the court may, on the application of the Secretary of State, make an order requiring him to make good the default within a time specified in the order, or, if the directions related to anything to be done in the management or administration of a company or association, requiring the company or association or any officer of it to do so.
- (4) Any order of the court under subsection (3) of this section may provide that all the costs or expenses of or incidental to the application for the order shall be borne by any person in default or by any officers of a company or association who are responsible for its default.
- (5) In this section “the court”—
- (a) in relation to England and Wales, means the High Court;
 - (b) in relation to Scotland, means the Court of Session; and
 - (c) in relation to Northern Ireland, means the High Court or a judge of the High Court.]

Status: Point in time view as at 20/06/2003. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Fair Trading Act 1973, Section 93. (See end of Document for details)

Textual Amendments

- F1** Ss. 88-93A repealed (20.6.2003 for specified purposes, 29.12.2004 in so far as not already in force) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, [Sch. 26](#) (with [Sch. 24](#)); S.I. 2003/1397, art. 2(1), [Sch.](#) (with arts. 3(1), 4, 6, 8); S.I. 2004/3233, art. 2, [Sch.](#) (with arts. 3-5)

Modifications etc. (not altering text)

- C1** S. 93 extended (1.5.1980) by [Competition Act 1980 \(c. 21\)](#), s. 12(6) and extended *ibid.*, ss. 10(4), 33(5)
- C2** S. 93 applied (with modifications) (28.8.1996) by S.I. 1996/2199, [reg. 24](#)
- C3** S. 93(3)(4) applied by [Channel Tunnel Act 1987 \(c. 53, SIF 102\)](#), s. 33(7)
- C4** S. 93(3)(4) extended (18.12.1996) by 1996 c. 61, s. 26(3)

Status:

Point in time view as at 20/06/2003. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Fair Trading Act 1973, Section 93.