



# Restrictive Trade Practices Act 1976

## 1976 CHAPTER 34

### PART IV

#### GENERAL

##### *Registration*

#### **26 Court's power to rectify the register, etc.**

- (1) The Court may, on the application of any person aggrieved, order the register to be rectified by the variation or removal of particulars included in the register in respect of any agreement.
- (2) The Court may, on the application of—
  - (a) any person party to an agreement; or
  - (b) the Director, in respect of an agreement of which particulars have been furnished to him under this Act;declare whether or not the agreement is one to which this Act applies, and if so whether or not it is subject to registration under this Act.
- (3) Where application is made under subsection (2) above by a party to an agreement before the expiry of the time within which, if the agreement is subject to registration under this Act, particulars are required to be furnished under section 24 above, then—
  - (a) if particulars of the agreement have not been so furnished before the commencement of the proceedings, that time shall be extended by a time equal to the time during which the proceedings and any appeal therein are pending, and such further time, if any, as the Court may direct; and
  - (b) if particulars have been so furnished, the Director shall not enter or file particulars of the agreement in the register during the time during which the proceedings and any appeal therein are pending.
- (4) Notice of an application to the Court under this section shall be served, in accordance with rules of court—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of an application by a person other than the Director, on the Director;
  - (b) in the case of an application by the Director, on the parties to the agreement or such of them as may be prescribed or determined by or under the rules;
- and a party on whom notice is so served shall be entitled, in accordance with such rules, to appear and be heard on the application.