



Restrictive Trade Practices Act 1976

1976 CHAPTER 34

PART IV

GENERAL

Enforcement

36 Director's power to obtain information

- (1) If the Director has reasonable cause to believe that a person being—
- (a) a person carrying on within the United Kingdom any such business as is described in section 6(1) above; or
 - (b) a trade association, the members of which consist of or include persons carrying on business as so described, or representatives of such persons ; or
 - (c) a person carrying on within the United Kingdom any business of supplying services brought under control by an order under section 11 or section 12 above ; or
 - (d) an association which, in relation to such an order, is a services supply association ;

is or may be party to an agreement subject to registration under this Act, he may give to that person such notice as is described in subsection (2) below.

- (2) The notice referred to in subsection (1) above may require any person mentioned in paragraphs (a) to (d) of that subsection to notify the Director (within such time as may be specified in the notice) whether that person is party to any agreement relating to—
- (a) any such matters as are described in paragraphs (a) to (f) of section 6(1); or
 - (b) any such matters as are described in paragraphs (a) to (h) of section 7(1) above ; or
 - (c) matters specified in the relevant order for the purposes of section 11(1)(b) above ; or
 - (d) matters specified in the relevant order for the purposes of section 12(1)(b) above ;

Status: This is the original version (as it was originally enacted).

and if so to furnish to the Director such particulars of the agreement as may be specified in the notice.

(3) The Director may give notice to any person by whom particulars are furnished under section 24 above in respect of an agreement, or to any other person being party to the agreement, requiring him to furnish such further documents or information in his possession or control as the Director considers expedient for the purposes of or in connection with the registration of the agreement.

(4) In the case of—

- (a) any such trade association as is mentioned in subsection (1)(b) above; or
- (b) any such services supply association as is mentioned in subsection (1)(d) above;

a notice may be given under subsection (1) by the Director either to the association or to the secretary, manager or other similar officer of the association. For the purposes of this section any such trade association or services supply association shall be treated as party to any agreement to which members of the association, or persons represented on the association by such members, are parties as such.

(5) In subsection (1) the reference to an agreement subject to registration under this Act shall, in relation to Part II, be construed as including a reference to any agreement which—

- (a) relates to exports from the United Kingdom; and
- (b) would, but for paragraph 6(1) of Schedule 3 to this Act, be an agreement subject to registration under this Act.

(6) In subsection (1) the reference to an agreement subject to registration under this Act shall, in relation to Part III, be construed as including a reference to any agreement which would, but for paragraph 9(1) of Schedule 3, be an agreement subject to registration under this Act.