



# Competition Act 1980

## 1980 CHAPTER 21

### *Amendments of Fair Trading Act 1973*

#### **21 Monopoly references by Secretary of State alone**

It is hereby declared that where it appears to the Secretary of State that—

- (a) a monopoly situation exists or may exist as mentioned in subsection (1) of section 51 of the Fair Trading Act 1973 (monopoly references by Ministers), and
- (b) the goods or services in question are of a description mentioned in subsection (2) of that section, and
- (c) none of the Ministers mentioned in subsection (3) of that section has such functions as are mentioned in subsection (2) of that section in relation to goods or services of that description,

the Secretary of State may make a monopoly reference with respect to the existence or possible existence of that situation acting alone; and accordingly any reference which has been made in such circumstances by the Secretary of State acting alone has been made in compliance with that section.

#### **22 Disclosure of reports on monopoly references to persons named**

In section 83 of the Fair Trading Act 1973 (laying before Parliament of reports under that Act)—

- (a) at the beginning of subsection (1) there shall be inserted the words " Subject to subsection (1 A) below "; and
- (b) after subsection (1) there shall be inserted the following subsection: —

“(1A) The Minister or Ministers to whom a report of the Commission on a monopoly reference is made shall not lay a copy of the report before either House of Parliament unless at least twenty-four hours before doing so he transmits or they transmit to every person named in the report as a person in whose favour a monopoly situation exists a copy of the report in the form in which it is laid (or by virtue of

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*Status: This is the original version (as it was originally enacted).*

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subsection (2) below is treated as being laid) before each House of Parliament.”.

**23 Amendment of s. 137(3) of Fair Trading Act 1973**

In section 137(3) of the Fair Trading Act 1973 (definition of " the supply of services ") there shall be inserted after paragraph (b) the following words: —

“and

- (c) includes the making of arrangements for a person to put or keep on land a caravan (within the meaning of Part I of the Caravan Sites and Control of Development Act 1960) other than arrangements by virtue of which the person may occupy the caravan as his only or main residence”.

**24 Modification of provisions about performance of Commission's functions**

- (1) The Secretary of State may by order make such modifications in Part II of Schedule 3 to the Fair Trading Act 1973 (performance of functions of Commission) as appear to him to be appropriate for improving the performance by the Commission of their functions.
- (2) An order under this section may contain such transitional, incidental or supplementary provisions as the Secretary of State thinks fit.