

STATUTORY INSTRUMENTS

1983 No. 382

RESTRICTIVE TRADE PRACTICES

The Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983*Made* - - - - - 10th March 1983*Coming into Operation* 11th April 1983

Whereas section 9(5) of the Restrictive Trade Practices Act 1976(a) provides for the approval by the Secretary of State of standards of dimension, design, quality or performance or of arrangements as to the provision of information or advice to purchasers, consumers or users prescribed or adopted by any trade association or other body:

Now, therefore, the Secretary of State in exercise of powers conferred on him by the said section 9(5) hereby makes the following Order:—

1. This Order may be cited as the Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983 and shall come into operation on 11th April 1983.
2. The standards and arrangements specified in the Schedule hereto are approved by the Secretary of State.

Derek Eagers,
An Under Secretary of
the Department of Trade.

10th March 1983.

SCHEDULE

1. Standards of design, quality or performance and arrangements as to the provision of information or advice to purchasers, consumers or users contained in a scheme concerning tobacco product modification and research, drawn up, at the request of Her Majesty's Government, following discussions between the representative commercial organisations and the Department of Health and Social Security, acting also on behalf of the other United Kingdom Health Departments..

The scheme is set out in a document deposited with the Department of Health and Social Security, entitled "Tobacco Product Modification and Research" and adopted by the Tobacco Advisory Council on 24th February 1983.

(a) 1976 c. 34.

2. Arrangements as to the provision of information or advice to purchasers, consumers or users contained in a scheme concerning health warnings in relation to, and the advertising and promotion of, tobacco products, drawn up, at the request of Her Majesty's Government, following discussions between the representative commercial organisations and the Department of Health and Social Security, acting also on behalf of the other United Kingdom Health Departments.

The scheme is set out in a document deposited with the Department of Health and Social Security, entitled "Tobacco Products Advertising and Promotion, and Health Warnings" and adopted by the Tobacco Advisory Council on 24th February 1983.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 9(5) of the Restrictive Trade Practices Act 1976 provides that, where an agreement contains a term that the parties are to comply with or apply, in respect of the production, supply or acquisition of any goods or the application to goods of any process of manufacture, standards of dimension, design, quality or performance, or arrangements as to the provision of information or advice to purchasers, consumers or users, being standards or arrangements prescribed or adopted by any trade association or other body and for the time being approved by order of the Secretary of State, no account is to be taken of that term in determining whether the agreement is an agreement to which the Act applies by virtue of Part II thereof, which provides for the registration and judicial investigation of restrictive trading agreements relating to goods.

By this Order the Secretary of State approves the standards and arrangements contained in the two schemes relating to tobacco product modification and research and the provision of information and advice about tobacco products which are mentioned in the Schedule.

A copy of each of the schemes mentioned in the Schedule is available for public inspection at all reasonable times and without payment at the offices of the Department of Health and Social Security, Alexander Fleming House, Elephant and Castle, London SE1 6BY. The scheme mentioned in paragraph 1 of the Schedule is marked "Scheme mentioned in paragraph 1 of the Schedule to the Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983" and the scheme mentioned in paragraph 2 of the Schedule is marked "Scheme mentioned in paragraph 2 of the Schedule to the Restrictive Trade Practices (Approval of Standards and Arrangements) Order 1983". Both schemes are signed by an Assistant Secretary in the Department of Health and Social Security.

Copies of these schemes may be obtained from the Department of Health and Social Security, Alexander Fleming House, Elephant and Castle, London SE1 6BY.

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