
STATUTORY INSTRUMENTS

1996 No. 346

**The Deregulation (Restrictive Trade Practices Act 1976)
(Amendment) (Variation of Exempt Agreements) Order 1996**

Variation of agreements or terms approved under section 30 of the Restrictive Trade Practices Act 1976

3.—(1) Section 30 of the Restrictive Trade Practices Act 1976 (which provides for exemption from registration under the Act in relation to certain agreements made, or terms included, to hold down prices, if approved by a competent authority) shall be amended as follows.

(2) After subsection (4) there shall be inserted—

“(4A) If an agreement, or term of an agreement, approved by an order under this section is subsequently varied—

- (a) the approval shall be treated as extending to the agreement, or term, as varied, but
- (b) the order shall cease to have effect unless the competent authority which made the order receive particulars of the variation before the end of the period of 21 days from the day of the variation.

(4B) The particulars to be given for the purposes of subsection (4A)(b) above shall—

- (a) in so far as the variation is made by an instrument in writing, be given by producing the original or a true copy of the instrument, and
- (b) in so far as the variation is not so made, be given by producing a memorandum in writing signed by a party to the agreement.

(4C) Where a competent authority receive under subsection (4A)(b) above particulars of a variation of an agreement, or term of an agreement, approved by an order under this section (“the approval order”) the authority may by order revoke the approval order if it appears to them that as a result of the variation the agreement, or term, should no longer be approved for the purposes of this section.”

(3) In subsection (5) (approved agreements or terms to be made available for public inspection)—

- (a) the words from “a copy” to the end shall become paragraph (a), and
- (b) after that paragraph there shall be inserted

“; and

- (b) where an authority receive particulars of a variation of an agreement or term of an agreement under subsection (4A)(b) above and decide not to make an order under subsection (4C) above, a copy of the variation.”