
STATUTORY INSTRUMENTS

1998 No. 1271

**The Restriction on Agreements and Conduct
(Specified Domestic Electrical Goods) Order 1998**

6.—(1) For the purposes of article 4, and provided that all the conditions in paragraph (3) are satisfied, it is also a permitted ground that the requesting dealer does not satisfy one or more of the supplier's criteria.

(2) "The supplier's criteria" means the criteria used by the supplier to determine to which dealers in the United Kingdom he will supply the specified goods requested.

(3) The conditions referred to in paragraph (1) are—

(a) that none of the supplier's criteria—

(i) relate to, or have the object of increasing or maintaining, the prices at which dealers advertise or sell, have advertised or sold, or are likely to advertise or sell, specified goods; or

(ii) relate to the margin of profit achieved or to be achieved by dealers on the sale of specified goods;

(b) that none of the supplier's criteria apply, or are applied by the supplier, so as to discriminate between different dealers on the ground of—

(i) the prices at which those dealers advertise or sell, have advertised or sold, or are likely to advertise or sell, specified goods; or

(ii) the margin of profit achieved or to be achieved by those dealers on the sale of specified goods;

(c) that none of the supplier's criteria relate to—

(i) the question of whether dealers are willing to sell goods to any consumer, or only to certain consumers; or

(ii) the days on, or the times at, which dealers' premises are open for the sale of goods to consumers,

but this subparagraph is subject to paragraph (4);

(d) that the supplier supplies the goods requested to all dealers that meet the supplier's criteria (save in circumstances where a permitted ground under article 5 applies in relation to a particular request for supply); and

(e) that the requesting dealer has been or is given a written statement of the supplier's criteria currently in force in relation to the goods requested.

(4) Supplier's criteria to the effect that dealers should supply the specified goods requested either wholly or mainly by way of wholesale or wholly or mainly by way of retail shall not be regarded as criteria relating to the matters set out in paragraph (3)(c).

Commencement Information

II [Art. 6](#) in force at 1.9.1998, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998, Section 6.