

APPENDIX

The Reference and Variation thereof made by the Board of Trade

(1) THE REFERENCE

The Monopolies and Restrictive Practices Acts 1948 and 1953
as amended by the Restrictive Trade Practices Act 1956

Reference to the Monopolies Commission Aluminium Semi-manufactures

Whereas it appears to the Board of Trade that it is or may be the fact that conditions to which the Monopolies and Restrictive Practices (Inquiry and Control) Act 1948 (hereinafter called 'the Act of 1948'), as amended by the Restrictive Trade Practices Act 1956, applies prevail as respects the supply of aluminium semi-manufactures:

1. Now, therefore, the Board of Trade in pursuance of section 2(1) of the Act of 1948, as so amended, hereby refer to the Monopolies Commission the matter of such supply.

2. The Commission shall as respects such supply investigate and report on whether conditions to which the Act of 1948, as so amended, applies in fact prevail.

3. The Board of Trade, in pursuance of section 6(2) of the Act of 1948, hereby require the Commission, if they find that such conditions prevail, thereafter to confine their investigation to the question whether the following thing is done by the parties concerned as a result of, or for the purpose of preserving, those conditions, namely:

refusing normal trade discounts to distributors who obtain part of their requirements of aluminium semi-manufactures from abroad, and, if so, whether or not such thing operates or may be expected to operate against the public interest.

4. In this reference 'aluminium semi-manufactures' means the following aluminium semi-manufactures: rolled plate, sheet, strip and circles; extruded bars and sections; tubes, whether extruded, drawn or welded.

Dated this 2nd day of July 1965.

D. R. SERPELL,
A Second Secretary of the Board of Trade

(2) VARIATION OF REFERENCE

The Monopolies and Mergers Acts 1948 and 1965

**Variation of Reference to the Monopolies Commission
Aluminium Semi-manufactures**

Whereas it appears to the Board of Trade that the reference to the Monopolies Commission made by the Board on the 2nd day of July 1965 and relating to the supply of Aluminium Semi-Manufactures ought to be varied in the manner provided below:

Now therefore the Board of Trade, in pursuance of the powers conferred upon them by section 6(4) of the Monopolies and Restrictive Practices (Inquiry and Control) Act 1948 (hereafter called 'the Act of 1948') and section 1(3) of the Monopolies and Mergers Act 1965, hereby vary the said reference as follows:

1. Paragraphs 2 and 3 shall cease to have effect.

2. The Commission shall limit their investigation into the prevalence of conditions to which the Act of 1948, as amended by the Restrictive Trade Practices Act 1956, applies to the question whether such conditions prevail by virtue of the fact that two or more persons refuse normal trade discounts to distributors who obtain part of their requirements of aluminium semi-manufactures from abroad.

3. The Commission, if they find that such conditions prevail by virtue of that fact, shall also investigate and report on—

- (1) the things (if any) which are done by the parties concerned as a result of, or for the purpose of preserving, those conditions;
and
- (2) whether the conditions in question or all or any of the things done as aforesaid operate or may be expected to operate against the public interest.

Dated this 18th day of August 1965.

D. R. SERPELL,
A Second Secretary of the Board of Trade

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