

**Notice pursuant to section 91(2) of the Fair Trading Act 1973
Revocation of The Restrictions on Agreements (Manufacturers and
Importers of Motor Cars) Order 1982**

The Secretary of State intends to make an Order (“the revocation Order”) to revoke the Restrictions on Agreements (Manufacturers and Importers of Motor Cars) Order 1982 (“the 1982 Order”). Before she makes the revocation Order she is required under section 91(2) of the Fair Trading Act 1973 (“the Act”), to publish a notice so that anyone with an interest in the matter may make representations to her.

The nature of the proposed provisions

The 1982 Order was made for the purpose of remedying or preventing the adverse effects specified in the Monopolies and Mergers Commission report entitled: *A Report on the matter of the existence or the possible existence of a complex monopoly situation in relation to the wholesale supply of motor car parts in the United Kingdom* (HC 318) which found that a complex monopoly situation existed among a number of manufacturers and importers of car parts. The Order makes it unlawful, subject to exceptions, for car manufacturers and importers to carry out agreements with a franchisee to the extent that the agreement contains an exclusive buying provision relating to replacement car parts.

The Office of Fair Trading has recommended that the Secretary of State revoke the 1982 Order as it has been superseded by other legislation, namely the 2002 EC Motor Vehicles Block Exemption Regulation (1400/2002 – OJ L203 1/8/02). The Secretary of State therefore intends to make an Order to revoke the 1982 Order in its entirety.

Copies of the draft revocation Order may be obtained on the DTI website at www.dti.gov.uk/ccp/topics2/monopolies.htm or from Philip.martin@dti.gsi.gov.uk

Representations

Any person whose interests are likely to be affected by the revocation Order, and who wish to make representations about it, should do so in writing to Philip Martin, Room 613, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET (e-mail: Philip.martin@dti.gsi.gov.uk).

You should state what your interest in the matter is and the grounds on which you wish to make representations.

Your representations must be received by **21 January 2005**.