

2005 No. xxx

COMPETITION

**The Restriction on Conduct (Specialist Advertising Services)
(Revocation) Order 2005**

<i>Made</i> - - - -	2005
<i>Laid before Parliament</i>	2005
<i>Coming into force</i> - -	2005

Whereas the Secretary of State, in accordance with section 91(2) of the Fair Trading Act 1973(a) (“the Act”), published a notice on 23 March 2005 stating her intention to make this Order, indicating the nature of the provisions to be embodied in it and stating that any person whose interests were likely to be affected by it and who was desirous of making representations in respect of it should do so in writing before 13 May 2005;

And whereas the Secretary of State has considered the representations received;

Now, therefore, the Secretary of State, being the appropriate Minister under section 56 of the Act, in exercise of the powers conferred on her by sections 56(2), 90(2) and 134(2) of, and paragraphs 4, 6 and 7 of Schedule 8 to, the Act(b), hereby makes the following Order:

Citation and Commencement

1. This Order may be cited as the Restriction On Conduct (Specialist Advertising Services) (Revocation) Order 2005 and shall come into force on [xxxx 2005].

Revocation

2. The Restriction On Conduct (Specialist Advertising Services) Order 1988(c) is hereby revoked.

Parliamentary Under Secretary of State
Employment Relations, Competition and Consumers
Department of Trade and Industry

Date

(a) 1973 c.41. Section 91 was repealed by the Enterprise Act 2002 (c. 40), Schedule 26 but, pursuant to Schedule 24, paragraphs 14 and 19 of that Act, and SI 2003/1397 (“the saving provisions”), it continues to apply in respect of monopoly references made before 20 June 2003 under section 50 of the Fair Trading Act 1973.

(b) Sections 56 and 90 and Schedule 8 were repealed by the Enterprise Act 2002, Schedule 26 but, pursuant to the saving provisions (mentioned in footnote (a) above), they continue to apply in respect of monopoly references made before 20 June 2003 under section 50 of the Fair Trading Act 1973.

(c) S.I. 1988/1017.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Restriction On Conduct (Specialist Advertising Services) Order 1988 (“the 1988 Order”) which makes it unlawful for publishers of specialist magazines to withhold, or threaten or agree to withhold, advertising services from persons seeking to place adverts containing information on the price of the goods being advertised. It also prohibits discriminating against price-bearing advertisements in the prices charged and other terms and conditions for advertising services.

Photocopies of the report of the Monopolies and Mergers Commission upon which the 1988 Order is based (Cmnd. 280) may be obtained from The Competition Commission at http://www.competition-commission.org.uk/rep_pub/reports/1988/222advertising.htm#full

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.