

Editorial News

Restrictive Trade Practices Act Amended

The Competition and Consumer Affairs Minister, Nigel Griffiths, has made the following changes to the Restrictive Trade Practices Act by Order which should help business and the consumer.

The Restrictive Trade Practices Act 1976 (RTPA) requires (with some exceptions) the notification and registration of certain restrictive agreements between businesses. Firms must notify such agreements to the Director General of Fair Trading who places them on the a public register of restrictive trading agreements. Unless the DGFT considers (and the Secretary of State agrees) that the restrictions in an agreement are insignificant, he must refer it to the Restrictive Practices Court. The Court will strike down any restrictions if it judges them to be against the public interest. Section 27A RTPA (introduced by section 10 of the Deregulation and Contracting Out Act 1994) provides the Secretary of State with powers to make certain agreements non-notifiable by secondary legislation.

In March 1996 Orders came into force to make non-notifiable certain *de minimis* agreements where the combined UK turnover of the parties is £20 million or less (The Restrictive Trade Practices (Non-notifiable Agreements) (Turnover Threshold) Order 1996; SI 1996/348); and those agreements which are exempt from Article 85 of the EC Treaty by virtue of an EC block exemption Regulation, or which would be so exempt if the agreement had an effect on interstate trade (The Restrictive Trade Practices (Non-notifiable Agreements) (EC Block Exemptions Order 1996; SI 1996/349).

The two new Orders made on 11 December 1997 using section 27A powers will make non-notifiable certain sale and purchase, share subscription and franchise agreements, and will raise the *de minimis* threshold to £50 million. They are the The Restrictive Trade Practices (Non-notifiable Agreements) (Sale and Purchase, Share Subscription and Franchise Agreements) Order (SI 1997/2945) and The Restrictive Trade Practices (Non-notifiable Agreements) (Turnover Threshold) (Amendment) Order (SI 1997/2944).

Mr Griffiths said that the action he has taken will "remove the unnecessary paperwork and red tape that so often binds business". He added that he could see no reason for companies to have to notify agreements where there is little chance of there being a competition concern. The DGFT will still be able to act against agreements if he considers this necessary.

The measures came into effect on 9 January 1998 and copies of the Orders are available from the Stationery Office.

Internet and the Small Firms

The Minister for Small Firms, Barbara Roche wants to ensure that firms can make the most of the information resources and business potential offered by the Internet. She is asking UK firms to put their

websites forward for possible inclusion in the government's innovative new Enterprise Zone website. This will help to make it the most useful resource available to firms on the Internet. Mrs Roche is particularly keen to identify sites with good quality financial information as there is a real demand for finding and making the best use of finance.

Sites nominated will be required to undergo the stringent approvals process to ensure that the Enterprise Zone only contains information which really adds business value.

Enterprise Zone was developed by Microsoft for the DTI and was launched last month and has already proved to be an extremely popular business site. As the site evolves into the definitive resource for UK SMEs on the Internet, the Enterprise Zone needs to cover the widest possible range of key business topics. It already includes links to over 70 accredited sites based around the questions most frequently asked of Business Links' Information Service, which advises over 8,000 business a week. It is expected that the number of sites and topics covered over the next few months will double which should act as a catalyst for the provision of information on the Internet.

The DTI is asking for sites to be put forward for approval via the Enterprise Zone at

<http://www.enterprisezone.org.uk>,

or by direct e-mail to

pstoat.dti@gtinet.gov.uk.

Sites nominated will be looked at by an independent approvals working group and will be judged on the following criteria:

quality, objectivity, accuracy, authority, coverage, stability, usability and currency.

The group has assessed the strengths and weaknesses of sites against each of these criteria and arrived at a ninth, the overall rating of the potential value of a site as a resource for business. The nine criteria represent the initial view of the group on what makes a good business website. They will be reviewed as the Enterprise Zone develops and the needs of preferences of users are better understood.

The Enterprise Zone provides two routes into business information. *About Your Business* provides sites relevant to different types of business and stages of development. *Business Issues* provides sites reflecting the questions most frequently asked by business.