

1968, on the Folkeston-Brighton-Southampton-Dorchester-Honiton Trunk Road (A259), known as Dymchurch Road, in the district of Shepway, in the County of Kent.

The effect of the Order, which comes into operation on 5th February 1977, is to revoke the Trunk Road (Dymchurch Road, St. Mary-in-the-Marsh) (Restriction of Waiting Order 1972 and re-enact it to include the disabled person's (orange badge scheme) exemptions.

Any person aggrieved by the Order and desiring to question the validity thereof, or of any provisions contained therein, on the ground that it is not within the powers of the above Acts, or on the ground that any requirement of those Acts, or of regulations made thereunder, has not been complied with in relation to the Order may within 6 weeks from 18th January 1977, apply to the High Court for the suspension or quashing of the Order or any provision contained therein.

A copy of the Order, together with the revoked Order, may be inspected during office hours at the offices of the Kent County Council at Kent House, Lower Stone Street, Maidstone and at those of the Shepway District Council, at the Civic Centre, Folkestone, or obtained by application to the offices of the Department's Regional Controller (Roads and Transportation), South Eastern, "Edgeborough", 74 Epsom Road, Guildford, Surrey, quoting the reference DSE/5062/41/5/TR 37/010.

R. J. Harman, a Senior Executive Officer in the Department of Transport.

OFFICE OF FAIR TRADING

REFERENCE TO THE CONSUMER PROTECTION ADVISORY COMMITTEE BY THE DIRECTOR GENERAL OF FAIR TRADING.

1. The Director General of Fair Trading, pursuant to sections 14, 17 and 19 of the Fair Trading Act 1973 hereby refers to the Consumer Protection Advisory Committee—

(a) in relation to each of the practices mentioned in paragraph (2) below the questions—

(i) whether the practice adversely affects the economic interests of consumers in the United Kingdom; and

(ii) if so, whether it does so by reason, or partly by reason, that it has, or is likely to have, one or more of the effects specified in section 17 (2) of that Act;

(b) proposed recommendations to the Secretary of State to exercise his powers under section 22 of that Act to make such an Order as is in his opinion appropriate to give effect—

(i) in the case of the practice mentioned in paragraph (2) (a) below, to the proposals set out in paragraph 1 of the Schedule hereto; and

(ii) in the case of the practice mentioned in paragraph (2) (b) below, to the proposals set out in paragraph 2 of that Schedule.

2. The practices referred to in the preceding paragraph are—

(a) the practice of advertising, displaying or otherwise quoting to consumers as the price sought for goods to be supplied or the charge sought for services to be supplied or where an estimate is given, quoting to consumers as the price or charge likely to be sought, an amount which excludes a sum which the supplier proposes to charge on account of value added tax (for example, advertising the price of goods as "£15.24 VAT extra");

(b) the practice of advertising for the attention of consumers recommended retail prices which take no account of any amount that the retail seller is likely to seek to recover from a consumer on account of value added tax (for example, including in advertisements statements such as "Recommended retail price £58.50 excluding VAT").

3. (a) The practice mentioned in paragraph 2 (a) above appears to the Director General to be a consumer trade practice within section 13 (a), (b), (c), or (d) of the Fair Trading Act (depending upon the particular circumstances in which it is employed) and to have, or to be

likely to have, the following effects specified in section 17 (2) (a) and (b) of the Act, namely,—

(i) misleading consumers as to, or withholding from them adequate information as to, their obligations under relevant consumer transactions, in particular as to the amount they will be obliged to pay; and

(ii) confusing consumers with respect to the amount sought in connection with relevant consumer transactions.

(b) The practice mentioned in paragraph 2 (b) is one which appears to the Director General to be a consumer trade practice within section 13 (c) of that Act and to have, or to be likely to have, the following effect described in section 17 (2) (b) thereof, namely, misleading or confusing consumers with regard to the amount of the recommended retail price.

4. In paragraph 2 (a) above references to the amount of charge include references to an amount expressed as a percentage (such as a commission expressed as a percentage of a selling price).

Director General of Fair Trading.

19th January 1977.

SCHEDULE

Proposals

In paragraph 1 of this Schedule, "aggregate price or charge" means a price or charge which includes the amount the supplier seeks to recover by reason of value added tax; and in paragraph 2, "aggregate recommended retail price" means a price which reflects—

(a) the recommended retail price mentioned in paragraph 2 (b) of this reference; plus

(b) the amount the seller is likely to add to that price if he additionally seeks from a buyer the amount of the value added tax payable on the supply of goods at that price.

1. As respects the practice described in paragraph 2 (a)—that the employment of this practice by persons when seeking to supply goods or services to consumers in the United Kingdom should be prohibited; but this prohibition should not extend—

(a) to a statement in writing of a price or charge which does not take account of the amount the supplier seeks on account of value added tax if there is in close proximity thereto in figures or words no less prominent than those employed to indicate that price or charge a statement of the aggregate price or charge sought and the difference between the stated prices or charges is clearly attributed to value added tax;

(b) to an oral statement of a price or charge which does not take account of the amount the supplier seeks on account of value added tax if any consumer to whom the statement is addressed is also clearly advised of the aggregate price or charge sought and the difference between the prices or charges is clearly attributed to value added tax;

(c) to statements made to induce bids at a sale by auction;

(d) where an aggregate price or charge is stated in relation to a collection of goods or a number of services or both, to any indication of the manner in which any part of that aggregate price or charge is attributed to particular items.

2. As respects the practice described in paragraph 2 (b)—

(a) that the employment of this practice by persons supplying goods for resale to consumers in the United Kingdom should be prohibited; but this prohibition should not extend to—

(i) a written advertisement of a recommended retail price if there is stated in close proximity to that price and in figures or words no less prominent than those employed to indicate that price, a statement of the aggregate recommended retail price, and the difference in the stated prices is clearly attributed to value added tax;

(ii) any oral advertisement of a recommended retail price if any consumer to whom the statement is addressed is clearly advised of the aggregate recommended retail price, and the difference in the stated prices is clearly attributed to value added tax;

(b) that to prevent evasion, the prohibition mentioned in head (a) should apply not only to indications of recommended prices but to all indications of likely retail prices.