

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 407  
SENATE BILL 131

1 AN ACT TO AMEND G.S. 75-5 PERTAINING TO CERTAIN ACTS WHICH ARE  
2 PROHIBITED AS ACTS IN RESTRAINT OF TRADE OR IN THE NATURE OF  
3 COMBINATION OR CONSPIRACY IN RESTRAINT OF TRADE OR COMMERCE.  
4

5 The General Assembly of North Carolina do enact:  
6

7 **Section 1.** G.S. 75-5(b) is amended by adding at the end thereof, following  
8 Subsection (6), a new subsection, to be designated Subsection (7), to read as follows:

9 "(7) Except as may be otherwise provided by Article 10 of Chapter 66, entitled  
10 'Fair Trade', while engaged in buying or selling any goods in this State to  
11 make, enter into, execute or carry out any contract, obligation or agreement  
12 of any kind by which the parties thereto or any two or more of them bind  
13 themselves not to sell or dispose of any goods or any article of trade, use or  
14 consumption, below a common standard figure, or fixed value, or establish  
15 or settle the price of such goods between them, or between themselves and  
16 others, at a fixed or graduated figure, so as directly or indirectly to preclude  
17 a free and unrestricted competition among themselves, or any purchasers or  
18 consumers in the sale of such goods."

19 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed;  
20 provided, that the provisions of this subsection shall not apply to any act which is done in  
21 compliance with the rules and regulations of any State regulatory agency.

22 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

23 In the General Assembly read three times and ratified, this the 12th day of May,  
24 1961.