STATUTORY INSTRUMENTS

1990 No. 2168 (C. 53)

PATENTS

The Copyright, Designs and Patents Act 1988 (Commencement No. 6) Order 1990

Made - - - - *1st November 1990*

The Secretary of State, in exercise of the powers conferred upon him by section 305(3) of the Copyright, Designs and Patents Act 1988(a), hereby makes the following Order:–

1. This Order may be cited as the Copyright, Designs and Patents Act 1988 (Commencement No. 6) Order 1990.

2. The following provisions of the Copyright, Designs and Patents Act 1988 shall come into force on 7th January 1991 –

(a) in Part VI (patents), save in so far as article 3 below otherwise provides –

section 295 in so far as it relates to paragraphs 1 to 11, 17 to 23, 25, 26, 28 and 30 of Schedule 5;

(b) in Part VII (miscellaneous and general), section 303(2) in so far as it relates to the references in Schedule 8 to –

section 14(4) and (8), paragraph (b) and the word "and" preceding it in section 28(3), section 28(5) to (9), sections 72(3) and 88, the words "88(6) and (7)" in section 130(7) of, and paragraphs 2, 7 and 8 of Schedule 5 to, the Patents Act 1977(b);

(c) in Schedule 5 (patents: miscellaneous amendments), save in so far as article 3 below otherwise provides –

paragraphs 1 to 11, 17 to 23, 25, 26, 28 and 30;

(d) in Schedule 8 (repeals) the references to –

section 14(4) and (8), paragraph (b) and the word "and" preceding it in section 28(3), section 28(5) to (9), sections 72(3) and 88, the words "88(6) and (7)" in section 130(7) of, and paragraphs 2, 7 and 8 of Schedule 5 to, the Patents Act 1977.

3. For the purposes only of making rules expressed to come into force on or after 7th January 1991, any amendment to the Patents Act 1977 effected by a provision referred to in article 2(a) and (c) above which confers power to make rules or prescribe anything shall come into force forthwith.

Douglas Hogg
Minister of State,
Department of Trade and Industry

1st November 1990

(a) 1988 c.48.

(b) 1977 c.37.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 7th January 1991 the last remaining provisions of the Copyright, Designs and Patents Act 1988, namely, certain of the provisions (contained in Schedule 5) which amend the Patents Act 1949 (c.87) and the Patents Act 1977, and the repeal of certain provisions of the latter Act (contained in Schedule 8).

Article 3 of the Order brings into force forthwith any amendment to the Patents Act 1977 effected by a provision referred to in article 2(a) and (c) which confers a power to make rules or prescribe anything, for the purpose only of making rules thereunder expressed to come into force on or after 7th January 1991.

55p net

ISBN 0 11 005168 8

Printed in the United Kingdom for HMSO

833 WO1888 C30 11/90 452 7102 O/N 88174