STATUTORY INSTRUMENTS

1962 No. 1082

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 1 Order 1962

Laid before Parliament in draft
Made - - - - *23rd May* 1962
Coming into Operation *24th May* 1963

At the Court at Buckingham Palace, the 23rd day of May 1962

Present,

The Queen's Most Excellent Majesty in Council

Whereas an enquiry in relation to smokers' requisites of the classes or descriptions to which this Order applies has, on a reference from the Board of Trade, been held by the appropriate Committee appointed under the Merchandise Marks Act 1926(a);

And whereas the report of the Committee having been taken into consideration by the Board of Trade, the Board have made a representation to Her Majesty that it is desirable that an Order should be made under Section 2 of the said Act requiring the said goods to be marked in manner hereinafter appearing;

And whereas a draft of this Order has lain before Parliament for a period of forty days in accordance with Section 7 of the said Act and subsection (2) of Section 6 of the Statutory Instruments Act 1946(b), and neither House of Parliament has resolved that the draft be not submitted to Her Majesty;

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, in pursuance of the powers conferred by Section 2 of the Merchandise Marks Act 1926, is pleased to order and it is hereby ordered, as follows:—

1. This Order applies to smokers' requisites of the following descriptions:—

Cigarette, cigar and pipe lighters, portable and table, whether operated by mechanical, chemical, or electrical means.

2. It shall not be lawful to import into the United Kingdom any lighters to which this Order applies, nor to sell or expose for sale in the United Kingdom any such lighters which have been so imported, unless they bear an indication of origin applied in accordance with the requirements of Article 3 hereof.

(a) 16 & 17 Geo. 5. c. 53. (b) 9 & 10 Geo. 6. c. 36.

3. The indication of origin shall be applied as follows:—

(*a*) to each lighter by die-stamping or otherwise impressing, etching, engraving or casting, or, where the only area of the lighter suitable for marking is of material other than metal or plastic, by securely fastening or affixing to the lighter a label on which the indication of origin is printed or stamped in a contrasting colour; and

(*b*) to any container in which, or to any card on which, the lighter is imported, sold or exposed for sale, as the case may be, by printing or stamping in a contrasting colour.

4. Goods to which this Order applies shall bear the indication of origin on exposure for sale wholesale, whether or not the person so exposing the goods is a wholesale dealer.

5.—(1) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Merchandise Marks (Imported Goods) No. 1 Order 1962, and shall come into operation at the expiration of twelve months from the date hereof.

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order requires an indication of origin to be applied to imported cigarette, cigar and pipe lighters in the manner prescribed.

The lighters are required to bear the indication of origin on importation and on sale or exposure for sale and the requirement applies to exposure for sale wholesale, whether or not the person exposing the lighter is a wholesale dealer.

(a) 52 & 53 Vict. c. 63.