STATUTORY INSTRUMENTS

1964 No. 913

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 10 Order 1933 Amendment Order 1964

Laid before Parliament in draft
Made - - - - 23*rd June* 1964
Coming into Operation 23*rd June* 1964

At the Court at Buckingham Palace, the 23rd day of June 1964

Present,

The Queen's Most Excellent Majesty in Council

Whereas an enquiry in relation to the classes and descriptions of goods to which this Order applies has been held by the appropriate Committee appointed under the Merchandise Marks Act 1926(a); and, the report of the Committee having been taken into consideration, the Board of Trade have represented to Her Majesty that it is desirable that an Order should be made amending the provisions of the Merchandise Marks (Imported Goods) No. 10 Order 1933(b) (hereinafter referred to as "the principal Order");

And whereas a draft of this Order has lain before Parliament for a period of 40 days in accordance with section 7 of the said Act and section 6(2) of the Statutory Instruments Act 1946(c) 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 and in pursuance of the powers conferred by sections 2 and 7 of the Merchandise Marks Act 1926, is pleased to order, and it is hereby ordered, as follows:—

1. The principal Order shall have effect subject to the following amendments:—

(i) for Article 1 there shall be substituted the following Article—

"1. Subject to Article 2, it shall not be lawful to sell or expose for sale in the United Kingdom imported goods of any class or description specified in the Schedule hereto unless they bear an indication of origin applied in the manner specified in that Schedule in relation to that class or description."

(a) 16 & 17 Geo. 5. c. 53. (b) S.R. & O. 1933/491 (Rev. XIII, p. 567: 1933, p. 1344).
(c) 9 & 10 Geo. 6. c. 36.

(ii) for Article 2 there shall be substituted the following Article—

" 2. Article 1 shall not apply to—

(*a*) any frame, tube or rib forming part of an imported umbrella, if that umbrella itself bears an indication of origin applied by being printed or stamped in a contrasting colour on an adhesive label or on a label of durable material, or by means of a transfer in a contrasting colour, being a label or transfer securely affixed or attached (as the case may be) to the tube adjacent to the handle or, if there is no handle, to that end of the tube adjacent to the unattached extremities of the collapsed ribs;

(*b*) any tube or rib forming part of any imported frame, if that frame itself bears an indication of origin applied in the manner specified in the Schedule hereto in relation to frames;

(*c*) any frame, tube or rib forming part of an umbrella assembled in the United Kingdom, if that umbrella bears an indication which is expressed to be an indication of origin of that frame, tube or rib and is applied in the manner specified in paragraph (*a*) of this Article;

(*d*) any tube or rib forming part of a frame assembled in the United Kingdom, if that frame bears an indication which is expressed to be an indication of origin of that tube or rib and is applied in the manner specified in the Schedule hereto in relation to frames;

(*e*) any rib forming part of a complete set of imported ribs, if that set bears on one of the ribs thereof an indication of origin applied in the manner specified in the Schedule hereto in relation to ribs."

(iii) the Schedule to this Order shall be inserted as the Schedule to the principal Order.

2.—(1) The Interpretation Act 1889(a) shall apply to the interpretation tion 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. 10 Order 1933 Amendment Order 1964 and shall come into operation on the date hereof.

W. G. Agnew.

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

SCHEDULE

Class or description of goods	Manner in which the indication of origin is to be applied
Umbrella frames of iron or steel wire	(*a*) By being printed or stamped in a contrasting colour on an adhesive label or on a label of durable material; or (*b*) by means of a transfer in a contrasting colour; which is securely affixed or attached (as the case may be)— (i) to that end of the tube to which the handle will be joined; or (ii) if one end of the tube is formed into a handle as an integral part thereof, to the part of the tube adjacent to that end.
Umbrella tubes of iron or steel wire	(*a*) By being printed or stamped in a contrasting colour on an adhesive label or on a label of durable material; or (*b*) by means of a transfer in a contrasting colour; which is securely affixed or attached (as the case may be) to the tube.
Umbrella ribs of iron or steel wire	By being durably printed or impressed in a contrasting colour on either— (*a*) the rib; or (*b*) a metal label riveted or securely fastened by other means to the rib.

EXPLANATORY NOTE

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

This Order, which comes into operation forthwith, amends the provisions of the Order now regulating the marking on sale and exposure for sale of imported frames, tubes and ribs of iron or steel wire for umbrellas (S.R. & O. 1933/491).

The principal changes are as follows:—

(i) it is no longer necessary for such imported parts of a complete umbrella to bear a separate indication of origin so long as the umbrella itself is appropriately marked;

(ii) a wider range of methods of marking is permitted.

The report referred to in the Order is contained in Command Paper No. 2298.