STATUTORY INSTRUMENTS

1965 No. 124

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 2 Order 1928 Amendment Order 1965

Laid before Parliament in Draft

Made - - - - *29th January* 1965

Coming into Operation *21st February* 1965

At the Court at Buckingham Palace, the 29th day of January 1965

Present,

The Queen's Most Excellent Majesty in Council

Whereas the question whether the Merchandise Marks (Imported Goods) No. 2 Order 1928(a), as amended(b), (hereinafter referred to as "the principal Order") should be further amended in the manner hereinafter appearing was referred to the appropriate Committee appointed under the Merchandise Marks Act 1926(c); 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 the principal Order should accordingly be further amended;

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(d) 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 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 amendment that, in article 13, for item 1 (which relates to electric incandescent lamps of

(a) S.R. & O. 1928/570 (Rev. XIII, p. 450: 1928, p. 844).
(b) The relevant amending instrument is S.I. 1964/912 (1964 II, p. 1944).
(c) 16 & 17 Geo. 5. c. 53.
(d) 9 & 10 Geo. 6. c. 36.

ornamental design) in columns 1 and 2 there shall be substituted the following:—

Column 1	Column 2
1. (*a*) Electric incandescent lamps of ornamental design with a bulb to which (on account of its uneven surface) it is not practically possible to apply the indication of origin to the bulb.	(i) Indelibly stamped, embossed, incised or impressed on the cap of the lamp; and (ii) indelibly marked on the carton, wrapper or other container in which the lamp is imported, sold or exposed for sale, as the case may be.
(*b*) Electric incandescent projection lamps having a glass bulb, the external surface of which is coated with an obscuring finish except for a clear area for light emission.	

2.—(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. 2 Order 1928 Amendment Order 1965 and shall come into operation on the 21st February 1965.

W. G. Agnew.

EXPLANATORY NOTE

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

The Merchandise Marks (Imported Goods) No. 2 Order 1928, as amended, prohibits the importation into, or the sale or exposure for sale in, the United Kingdom of imported electric incandescent lamps unless they bear an indication of origin applied in the manner specified in that Order.

This Order varies the manner in which the indication of origin is to be applied to the electric incandescent projection lamps described at 1(*b*) of the table in article 1. The indication of origin is now required to be indelibly stamped, embossed, incised or impressed on the cap: previously it was required to be indelibly marked on the bulb. The requirement that the indication shall also be indelibly marked on the carton, wrapper or other container in which the lamp is imported, sold or exposed for sale, as the case may be, remains unchanged.

(A Direction was made on the 21st February 1964 (S.I. 1964/261) provisionally modifying the 1928 Order in the same way as this Order.)

The report referred to in this Order is contained in Command Paper No. 2413.

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