1963 No. 1314

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 2 Order 1963

Laid before Parliament in draft
Made - - - - 29*th July* 1963
Coming into Operation 30*th April* 1964

At the Court at Buckingham Palace, the 29th day of July 1963

Present,

The Queen's Most Excellent Majesty in Council

Whereas an enquiry in relation to musical instruments 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 section 6(2) 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 goods of the following descriptions:—

Percussion musical instruments (excluding carillons) and the following accessories, namely, drum pedals, cymbal pedals, drum sticks, wire brushes, drum and cymbal stands, drumheads fixed on hoops and bass drum spurs.

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

3. The indication of origin shall be applied to each article, or to a label securely affixed or attached thereto, by printing, stamping, impressing, incising, embossing, stencilling, or by means of a transfer.

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

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. This Order shall not apply to toys.

6.—(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 1963 and shall come into operation at the expiration of nine 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 percussion musical instruments (excluding carillons) and a number of accessories in the manner prescribed.

The goods 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 goods is a wholesale dealer.

The Report referred to in this Order is contained in Command Paper No. 1907.

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