STATUTORY INSTRUMENTS

1964 No. 2032

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 2 Order 1964

Laid before Parliament in draft
Made - - - - 22*nd December* 1964
Coming into Operation 23*rd September* 1965

At the Court at Buckingham Palace, the 22nd day of December 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 and extending the provisions of the Merchandise Marks (Imported Goods) No. 1 Order 1929(**b**) and the Merchandise Marks (Imported Goods) No. 14 Order 1933(**c**);

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 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:—

Indication of origin

1.—(1) It shall not be lawful to import into the United Kingdom any goods (being stationers' sundries) of a class or description specified in the Schedule hereto, 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 the manner specified in the Schedule in relation to that class or description.

(2) Goods of any such class or description shall bear the indication of origin on exposure for sale wholesale whether or not the person so exposing the goods is a wholesale dealer.

Revocation, interpretation and citation

2.—(1) Part III of the Merchandise Marks (Imported Goods) No. 1 Order 1929 (which relates to school rules) and the Merchandise Marks (Imported Goods) No. 14 Order 1933 (which relates to other stationers' sundries) are hereby revoked.

(**a**) 16 & 17 Geo. 5. c. 53. (**b**) S.R. & O. 1929/204 (Rev. XIII, p. 475: 1929, p. 871).
(**c**) S.R. & O. 1933/734 (Rev. XIII, p. 574: 1933, p. 1351). (**d**) 9 & 10 Geo. 6. c. 36.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Orders hereby revoked were Acts of Parliament.

(3) This Order may be cited as the Merchandise Marks (Imported Goods) No. 2 Order 1964 and shall come into operation on the expiration of the period of 9 months beginning with the date of this Order.

W. G. Agnew.

SCHEDULE

Without prejudice to the manner in which the indication of origin is to be applied, specified in column 2 of the following table, to any goods of a class or description specified in column 1, if any such goods are imported, sold or exposed for sale in a box, carton or other container, or on any card, the indication of origin shall also be printed or stamped on the box, carton, container or card, as the case may be, or on a label securely affixed thereto.

Column 1	Column 2
Class or description of goods	Manner in which the indication of origin is to be applied
(*a*) Non-folding, divided, rules of wood of the type used in schools, other than— (i) slide rules; (ii) carpenters' rules.	By being printed or impressed on the rule in a contrasting colour.
(*b*) (i) Arch mechanisms for letter files.	By being die-stamped, impressed or embossed on the surface of the base facing the operating lever or rings.
(ii) Compressor bars for such arch mechanisms, if the bars are imported, sold or exposed for sale separately from the mechanisms.	By being die-stamped, impressed or embossed on the surface of the bar.
(iii) Fittings for flat folders or files.	By being die-stamped, cast, impressed, or embossed on the surface of the compressor bar.
(*c*) (i) Ring mechanisms.	By being die-stamped, impressed or embossed on the surface facing the rings or other paper securing device.

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

Column 1	Column 2
Class or description of goods	Manner in which the indication of origin is to be applied
(ii) Sets of components for ring mechanisms, if imported, sold or exposed for sale in an unassembled condition.	By being die-stamped, impressed or embossed on the surface of one of the major components.
(*d*) (i) Office punches, perforators and embossing machines. (ii) Hand-operated stapling machines. (iii) Letter clips. (iv) Pocket pencil sharpeners. (v) Pencil sharpener machines. (vi) Pencil point protectors. (vii) Penholders and pen nibs, other than gold nibs. (viii) Pocket magnifying glasses with a handle or protective case. (ix) Geometrical instruments of the type used in schools, being instruments the longest dimension of which does not exceed 6½ inches, other than— (*a*) drawing compasses, beam compasses and proportional compasses; (*b*) non-folding, divided, rules of wood; (*c*) slide rules; (*d*) carpenters' rules.	By being die-stamped, cast, impressed or embossed on the goods in such a position as to be visible when the goods are used.
(*e*) Spring clips for holding sheets of paper to a board or other rigid backing.	By being die-stamped, cast, impressed or embossed on the outer surface of that side of the clip which does not contain the fixing holes.
(*f*) (i) Staples for stapling machines. (ii) Paper clips and fasteners of single-piece construction. (iii) Drawing pins. (iv) Hinged rings. (v) Index tabs and signalling indicators.	By being printed or stamped on the top of the box, carton or other container in which the goods are imported, sold or exposed for sale, as the case may be, or on a label securely affixed thereto.

EXPLANATORY NOTE

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

This Order, which comes into operation 9 months after it is made, replaces Part III of the Merchandise Marks (Imported Goods) No. 1 Order 1929 (which relates to school rules) and also replaces the Merchandise Marks (Imported Goods) No. 14 Order 1933 (which relates to other stationers' sundries).

The Order prohibits the importation, sale or exposure for sale of stationers' sundries specified in the Schedule, unless they bear an indication of origin applied in the manner specified in the Schedule.

The changes are as follows:—

(*a*) a wider range of imported stationers' sundries is required to be marked with an indication of origin;

(*b*) the marking requirements now apply at the time of importation as well as at the time of sale and exposure for sale;

(*c*) the manner in which the indication of origin is to be marked has been varied;

(*d*) in the case of imported school rules, the requirements relating to the indication of origin now apply to exposure for sale wholesale whether or not the person exposing the goods is a wholesale dealer; they previously applied to such exposure only if the person exposing the goods was not a wholesale dealer.

The report referred to in the Order is contained in Command Paper No. 2183.