STATUTORY INSTRUMENTS

1963 No. 1486

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 3 Order 1963

Laid before Parliament in draft

Made - - - - 29*th August* 1963
Coming into Operation 30*th May* 1964

At the Court at Balmoral, the 29th day of August 1963

Present,

The Queen's Most Excellent Majesty in Council

Whereas an enquiry in relation to the classes or descriptions of goods 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 extending the requirements of the Merchandise Marks (Imported Goods) No. 1 Order 1939(b) both as regards the goods required to be marked and as regards the manner in which they are to be marked;

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(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, 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. This Order applies to goods of the following descriptions:—

Straps, wristlets, bands, cordettes and similar articles ordinarily worn with watches, whether or not requiring any further process of manufacture or assembly, but not including those made wholly or mainly of metal.

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.

(a) 16 & 17 Geo. 5. c. 53.
(b) S.R. & O. 1939/294 (Rev. XIII, p. 633: 1939 II, p. 1975).
(c) 9 & 10 Geo. 6. c. 36.

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

(*a*) (i) by printing or stamping on the article in a contrasting colour; or

(ii) by metallic blocking, blind embossing or impressing on the article; or

(iii) by printing or stamping on a label securely attached to the article; and also

(*b*) by printing or stamping on the face of any card or other mounting on which the article is imported, sold or exposed for sale.

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. Nothing in this Order shall apply to goods which are already attached to watches at the time of importation.

6. The Merchandise Marks (Imported Goods) No. 1 Order 1939 is hereby revoked.

7.—(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. 3 Order 1963 and shall come into operation at the expiration of nine months from the date hereof.

E. N. Landale.

EXPLANATORY NOTE

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

This Order requires an indication or origin to be applied to imported watch straps and similar articles, whether or not requiring any further process of manufacture or assembly, 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.

It replaces the Merchandise Marks (Imported Goods) No. 1 Order 1939 and extends the requirements of that Order by requiring the marking of (i) goods which may need further process of manufacture or assembly and (ii) goods which are attached to watches, unless they are already attached to watches at the time of importation. It also provides additional methods of marking.

The report referred to in this Order is contained in Command Paper No. 1969.

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