STATUTORY INSTRUMENTS

1964 No. 691

MERCHANDISE MARKS

The Merchandise Marks (Imported Goods) No. 4 Order 1928 Amendment Order 1964

Laid before Parliament in draft

Made - - - - 12*th May* 1964

Coming into Operation 12*th May* 1964

At the Court at Buckingham Palace, the 12th day of May 1964

Present,

The Queen's Most Excellent Majesty in Council

Whereas the question whether the Merchandise Marks (Imported Goods) No. 4 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 reports 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 for article 9 there shall be substituted the following article:—

"9.—(1) The indication of origin shall, in the case of—

(*a*) any bearing of which the outside diameter is not more than 25·4 millimetres;

(*b*) any ball bearing with a single split through the outer race at right angles to the path of the balls,

be printed or stamped on the wrapper or container in which the bearing is imported, sold or exposed for sale, as the case may be.

(2) The indication of origin, in the case of any other bearing, shall be die-stamped or otherwise impressed or etched on the visible surface of the outer ring of the bearing."

(a) S.R. & O. 1928/1047 (Rev. XIII, p. 460: 1928, p. 855).
(b) The relevant amending instrument is S.I. 1961/1498 (1961 II, p. 3048).
(c) 16 & 17 Geo. 5. c. 53.
(d) 9 & 10 Geo. 6. c. 36.

2. The Merchandise Marks (Imported Goods) No. 4 Order 1928 Amendment Order 1961(**a**) is hereby revoked.

3.—(1) The Interpretation Act 1889(**b**) 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 Order hereby revoked were Acts of Parliament.

(2) This Order may be cited as the Merchandise Marks (Imported Goods) No. 4 Order 1928 Amendment Order 1964.

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. 4 Order 1928, as amended, prohibits the importation into, or the sale or exposure for sale in, the United Kingdom of imported ball or roller bearings unless they bear an indication of origin applied in the manner specified in the Order.

This Order varies the manner in which the indication of origin is to be applied to bearings with an outside diameter of over 12·7 mm. and not over 25·4 mm. (that is to say, very slightly over ½ inch and 1 inch respectively), and to ball bearings with a single split through the outer race at right angles to the path of the balls. In these cases the indication of origin is now required to be printed or stamped on the wrapper or container. This requirement continues to apply to bearings with an outside diameter of 12·7 mm. or less. In the case of any other bearing the indication must still be die-stamped or otherwise impressed or etched on the visible surface of the outer ring of the bearing.

This Order revokes an earlier amending Order (S.I. 1961/1498), the effect of which is incorporated in this Order.

The Reports referred to in this Order are contained in Command Papers No. 2136 and No. 2234.

(**a**) S.I. 1961/1498 (1961 II, p. 3048). (**b**) 52 & 53 Vict. c. 63.