

SCHEDULES

SCHEDULE 23

TRANSITIONAL PROVISIONS

PART I

TRANSFER OF REGISTRATION OF EXISTING REGISTERED PARTIES

Registration under Part II of this Act as from appointed day

- 4 (1) This paragraph applies where a party registered under the 1998 Act has complied with the provisions of paragraphs 2 and 3 so far as applicable to the party.
- (2) The Commission shall secure that, as from the appointed day, one (or each) of the new registers contains such entry in respect of the party (or the two parties mentioned in paragraph 3(7)) as the Commission consider appropriate to reflect—
- (a) the party's existing entry in the register maintained under the 1998 Act and the date when the party was first registered under that Act;
 - (b) the declaration sent to the Commission by the party in pursuance of paragraph 2(2);
 - (c) any information or notification sent to them in pursuance of paragraph 2(4); and
 - (d) the notification given to them in pursuance of paragraph 3(3).
- (3) In connection with the registration in the Northern Ireland register (in accordance with sub-paragraph (2)) of any emblem shown in a notification by a party in pursuance of paragraph 2(4)(c)(ii)—
- (a) section 29(2) shall apply (with any necessary modifications) as it applies in connection with the registration of any emblem in pursuance of a request under section 29, but
 - (b) for this purpose any emblem which on the initial date is registered under the 1998 Act in respect of any other party (except one falling within paragraph 2(7)) shall be treated as if it were already registered in the Northern Ireland register.
- (4) As from the appointed day the draft scheme sent to the Commission in pursuance of paragraph 3(2) shall be treated for the purposes of this Act as if it were a scheme approved by the Commission and adopted by the party under section 26 until—
- (a) such time as the scheme, or any revised scheme submitted under subsection (6) of that section, is in fact approved by the Commission under that section, or
 - (b) the end of the period of nine months beginning immediately after the end of the compliance period (or such longer period as the Commission may determine in relation to the party),

Status: This is the original version (as it was originally enacted).

whichever is the earlier.

- (5) If the draft scheme, or any such revised scheme, has not been so approved by the end of the period which applies for the purposes of sub-paragraph (4)(b)—
- (a) the Commission shall forthwith send the party a copy of the scheme incorporating such modifications as the Commission consider appropriate; and
 - (b) the scheme, as so modified, shall be treated for the purposes of this Act as if it had been approved by the Commission, and adopted by the party, under section 26.
- (6) Section 30(1)(e) shall apply in relation to a party registered in accordance with sub-paragraph (2) as if the reference to the time when the party applied for registration were a reference to the appointed day.