



# Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

*Effect of registration, etc.*

## **[<sup>F1</sup>11A Powers exercisable for protection of the public interest.**

(1) Where a report of the [<sup>F2</sup>Competition and Markets Authority] has been laid before Parliament containing conclusions to the effect—

<sup>F3</sup>(a) .....

<sup>F3</sup>(b) .....

(c) on a competition reference, that a person was engaged in an anti—competitive practice which operated or may be expected to operate against the public interest, or

(d) on a reference under section 11 of the Competition Act 1980 (reference of public bodies and certain other persons), that a person is pursuing a course of conduct which operates against the public interest,

the appropriate Minister or Ministers may apply to the registrar to take action under this section.

(2) Before making an application the appropriate Minister or Ministers shall publish, in such a manner as he or they think appropriate, a notice describing the nature of the proposed application and shall consider any representations which may be made within 30 days of such publication by persons whose interests appear to him or them to be affected.

(3) If on an application under this section it appears to the registrar that the matters specified in the [<sup>F4</sup>Competition and Markets Authority's report as being those which in the opinion of the Competition and Markets Authority] operate or operated or may be expected to operate against the public interest include—

(a) conditions in licences granted in respect of a registered design by its proprietor restricting the use of the design by the licensee or the right of the proprietor to grant other licences, <sup>F5</sup> . . .

(b) .....

he may by order cancel or modify any such condition <sup>F6</sup> . . .

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*Changes to legislation: Registered Designs Act 1949, Section 11A is up to date with all changes known to be in force on or before 21 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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<sup>F7</sup>(4) .....

<sup>F7</sup>(5) .....

(6) An appeal lies from any order of the registrar under this section.

(7) In this section “ the appropriate Minister or Ministers ” means the Minister or Ministers to whom the report of the [<sup>F8</sup>Competition and Markets Authority] was made. ]

#### Textual Amendments

- F1** Ss. 11A, 11B inserted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), **ss. 266(5)**, 270
- F2** Words in s. 11A(1) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 20(2)** (with art. 3)
- F3** S. 11A(1)(a)(b) repealed (20.6.2003 for specified purposes otherwise, 29.12.2004 for all further purposes) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, Sch. 25 para. 1(2), **26**; S.I. 2003/1397, art. 2(1), Sch. (with arts. 3(1)812); S.I. 2004/3233, art. 2, Sch. (with art. 3-5)
- F4** Words in s. 11A(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 20(3)** (with art. 3)
- F5** S. 11A(3)(b) and word repealed (9.12.2001) by S.I. 2001/3949, regs. 6(2)(a), 9(2), **Sch. 2** (with transitional provisions in [regs. 10-14](#))
- F6** Words in s. 11A(3) repealed (9.12.2001) by S.I. 2001/3949, regs. 6(2)(b), 9(2), **Sch. 2** (with transitional provisions in [regs. 10-14](#))
- F7** S. 11A(4)(5) repealed (9.12.2001) by S.I. 2001/3949, reg. 9(2), **Sch. 2** (with transitional provisions in [regs. 10-14](#))
- F8** Words in s. 11A(7) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 20(2)** (with art. 3)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(aa) and word inserted by [2014 c. 18 s. 9\(2\)](#)
- s. 22(5) inserted by [2014 c. 18 s. 9\(4\)](#)
- s. 22(6)(7) inserted by [2014 c. 18 s. 9\(5\)](#)