
STATUTORY INSTRUMENTS

1996 No. 238 (S.18)

SHERIFF COURT, SCOTLAND

**Act of Sederunt (Copyright, Designs
and Patents) (Amendment) 1996**

Made - - - - - *6th February 1996*

Coming into force - - - - - *1st March 1996*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 32 of the Sheriff Courts (Scotland) Act 1971(1), regulation 5(3) of the Olympics Association Right (Infringement Proceedings) Regulations 1995(2) and of all other powers enabling them in that behalf, after consultation with the Sheriff Court Rules Council, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Copyright, Designs and Patents) (Amendment) 1996 and shall come into force on 1st March 1996.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Act of Sederunt (Copyright, Designs and Patents) 1990

2.—(1) The Act of Sederunt (Copyright, Designs and Patents) 1990(3) shall be amended in accordance with the following sub-paragraphs.

(2) In paragraph 1(3) (citation and commencement)—

(a) omit the word “and” where it occurs before the words “the 1994 Act”; and

(b) after the words “Trade Marks Act 1994”, insert the following:—

“; and

“the 1995 Regulations” means the Olympics Association Right (Infringement Proceedings) Regulations 1995.”.

(3) In paragraph 2(2) (Orders for delivery up, forfeiture, destruction or other disposal)—

(1) 1971 c. 58; section 32 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), Schedule 2 paragraph 12, by the Civil Evidence (Scotland) Act 1988 (c. 32), section 2(4) and by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 18(2).

(2) S.I.1995/3325.

(3) S.I. 1990/380; amended by S.I. 1994/3066.

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- (a) for the word “or” where it occurs after the words “the 1988 Act”, substitute a comma; and
- (b) after the words “the 1994 Act”, insert the words “or under regulation 3 or 5 of the 1995 Regulations”. (4) In paragraph 3(1) (service of notice on interested persons), for the words “section 19 of the 1994 Act or section 114, 204 or 231 of the 1988 Act” substitute the words “section 114, 204 or 231 of the 1988 Act, section 19 of the 1994 Act or regulation 5 of the 1995 Regulations”.

Edinburgh
6th February 1996

Hope of Craighead
Lord President, I.P.D.

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EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Act of Sederunt (Copyright, Designs and Patents) 1990 by making provision for the procedure for an application under regulations 3 and 5 of the Olympics Association Right (Infringement Proceedings) Regulations 1995.