

SCHEDULE

EXCEPTIONS AND MODIFICATIONS SUBJECT TO WHICH THE TRADE MARKS ACT 1994 EXTENDS TO THE ISLE OF MAN

10.—(1) In sections 89, 90 and 91, for the words “Commissioners of Customs and Excise” and “Commissioners” wherever they appear there shall be substituted the word “Treasury”.

(2) In section 89(1)(b), for the words “United Kingdom” there shall be substituted the words “Isle of Man”.

(3) In section 89, for subsection (3) there shall be substituted—

“(3) This section does not apply to goods entered, or expected to be entered, for free circulation, export, re-export or for a suspensive procedure in respect of which an application may be made under Article 3(1) of Council Regulation (EC) No. 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or for a suspensive procedure of counterfeit and pirated goods.

(4) In this section and sections 90 and 91, “the Treasury” means the Department of that name established under the Government Departments Act 1987 (an Act of Tynwald).”.

(4) In section 90, for subsections (4) and (5) there shall be substituted the following subsection:

“(4) Regulations under this section shall not have effect unless they are approved by Tynwald.”.

(5) In section 91, for the words “Trade Descriptions Act 1968” there shall be substituted the words “Consumer Protection (Trade Descriptions) Act 1970 (an Act of Tynwald)”.