

Draft Order laid before Parliament under section 51(14) of the Tribunals, Courts and Enforcement Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. *

TRIBUNALS AND INQUIRIES

JUDICIAL APPOINTMENTS AND DISCIPLINE

The Judicial Appointments (Amendment) Order 2014

Made - - - - *****

Coming into force in accordance with Article 1

The Lord Chancellor makes this Order in exercise of the power conferred by section 51(1) of the Tribunals, Courts and Enforcement Act 2007(a).

The Lord Chancellor has consulted the Lord Chief Justice of England and Wales and the Judicial Appointments Commission in accordance with section 51(9) of the Tribunals, Courts and Enforcement Act 2007.

A draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 51(14) of the Tribunals, Courts and Enforcement Act 2007.

Citation and Commencement

1. This Order may be cited as the Judicial Appointments (Amendment) Order 2014 and comes into force on the day after the day on which it is made.

Amendment of the Judicial Appointments Order 2008

2. The Judicial Appointments Order 2008(b) is amended as follows.

3. In Schedule 2 (Offices for Which a Registered Patent Agent or a Registered Trade Mark Agent Holds a Relevant Qualification), before “Chairman or Deputy Chairman of the Copyright Tribunal appointed under section 145(2) of the Copyright Designs and Patents Act 1988” insert—

“Appointed person within the meaning of section 27A(1)(a) of the Registered Designs Act 1949(c)”.

(a) 2007 c. 15; section 51 was amended by the Legal Services Act 2007 (c. 29), Schedule 21, paragraph 162.

(b) S.I. 2008/2995; amended by the Legal Services Act 2007 (Consequential Amendments) Order 2009 (S.I. 2009/3348) from 1st January 2010 and by the Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 (S.I. 2009/1307) from 1st June 2009.

(c) 1949 c. 88; section 27A was inserted by section 10 of the Intellectual Property Act 2014 c. 18.

Signed by authority of the Lord Chancellor

Date

Name
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

A person must satisfy the judicial appointment eligibility condition under section 50 of the Tribunals, Courts and Enforcement Act 2007 in order to be selected as an Appointed Person under section 27A(1)(a) of the Registered Designs Act 1949. A person satisfies that condition if they have a relevant qualification for a period of 5 years. This Order provides that a Registered Patent Attorney or a Registered Trade Mark Attorney holds a relevant qualification in relation to the office of Appointed Person.

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£4.25

UK201407047 07/2014 19585

<http://www.legislation.gov.uk/id/ukdsi/2014/9780111117590>

ISBN 978-0-11-111759-0



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