

## SCHEDULES

### SCHEDULE 2

#### CERTIFICATION MARKS

##### *Approval of regulations, &c.*

- 7 (1) A certification mark shall not be registered unless—
- (a) the regulations governing the use of the mark—
    - (i) comply with paragraph 6(2) and any further requirements imposed by rules, and
    - (ii) are not contrary to public policy or to accepted principles of morality, and
  - (b) the applicant is competent to certify the goods or services for which the mark is to be registered.
- (2) Before the end of the prescribed period after the date of the application for registration of a certification mark, the applicant must file the regulations with the registrar and pay the prescribed fee.
- If he does not do so, the application shall be deemed to be withdrawn.
- 8 (1) The registrar shall consider whether the requirements mentioned in paragraph 7(1) are met.
- (2) If it appears to the registrar that those requirements are not met, he shall inform the applicant and give him an opportunity, within such period as the registrar may specify, to make representations or to file amended regulations.
- (3) If the applicant fails to satisfy the registrar that those requirements are met, or to file regulations amended so as to meet them, or fails to respond before the end of the specified period, the registrar shall refuse the application.
- (4) If it appears to the registrar that those requirements, and the other requirements for registration, are met, he shall accept the application and shall proceed in accordance with section 38 (publication, opposition proceedings and observations).
- 9 The regulations shall be published and notice of opposition may be given, and observations may be made, relating to the matters mentioned in paragraph 7(1).
- This is in addition to any other grounds on which the application may be opposed or observations made.