
STATUTORY INSTRUMENTS

1990 No. 1473

FEES AND CHARGES

**The Department of Trade and Industry
(Fees) (Amendment) Order 1990**

Made - - - - *19th July 1990*

Coming into force - - *20th July 1990*

Whereas a draft of this Order has been approved by a resolution of the House of Commons in pursuance of section 102(5) of the Finance (No. 2) Act 1987⁽¹⁾:

Now, therefore, the Secretary of State, in the exercise of the powers conferred by section 102 of that Act, hereby makes the following Order:—

1. This Order may be cited as the Department of Trade and Industry (Fees) (Amendment) Order 1990, and shall come into force on the day after the day on which it is made.

2. Schedule 1 to the Department of Trade and Industry (Fees) Order 1988⁽²⁾ is amended—

(a) in Part II, by omitting the word “and” after paragraph 6(c) and by inserting after subparagraph (d) the following— “; and

(e) any other functions of the Secretary of State and the Registrar in relation to trade marks or service marks, including, without prejudice to the generality of the foregoing:—

(i) supervision of the operation of the 1938 Act, review of the functioning of the law relating to trade marks and service marks and consideration and development of proposals for legislation relating to trade marks and service marks,

(ii) functions in relation to anything done by the European Communities or any of their institutions, or any international instrument or convention, in relation to trade marks or service marks, and

(iii) prosecution of offences under the 1938 Act and the taking of action with a view to ensuring compliance with any obligation arising under the 1938 Act.”;

(b) in Part III, by omitting the word “and” after paragraph 7(a) and by inserting after subparagraph (b) the following— “; and

(1) 1987 c. 51.

(2) S.I.1988/93.

- (c) any other functions of the Secretary of State and the Registrar in relation to registered designs, including, without prejudice to the generality of the foregoing:—
 - (i) supervision of the operation of the 1949 Act, review of the functioning of the law relating to registered designs and consideration and development of proposals for legislation relating to registered designs,
 - (ii) functions in relation to anything done by the European Communities or any of their institutions, or any international instrument or convention, in relation to registered designs, and
 - (iii) prosecution of offences under the 1949 Act and the taking of action with a view to ensuring compliance with any obligation arising under the 1949 Act.”; and
- (c) in Part IV, by omitting the word “and” after paragraph 8(c) and by inserting after subparagraph (d) the following— “and
 - (e) any other functions of the Secretary of State and the comptroller in relation to patents, including, without prejudice to the generality of the foregoing:—
 - (i) supervision of the operation of the 1977 Act and the Patents Act 1949, review of the functioning of the law relating to patents and consideration and development of proposals for legislation relating to patents,
 - (ii) functions in relation to anything done by the European Communities or any of their institutions, or any international instrument or convention, in relation to patents, and
 - (iii) prosecution of offences under the 1977 Act and the taking of action with a view to ensuring compliance with any obligation arising under the 1977 Act;”.

19th July 1990

Douglas Hogg
Minister of State,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Department of Trade and Industry (Fees) Order 1988 to enable the Secretary of State to take into account, in the determination of the amount of the fees fixed by him, certain other functions of the Secretary of State and of the Comptroller-General of Patents, Designs and Trade Marks (specified in article 2 of the Order) in relation to trade marks, registered designs and patents.