



THE DESIGNS REGULATIONS 1954, AMENDMENT NO. 12

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 9th day of December 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 46 and 47 of the Designs Act 1953, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Designs Regulations 1954, Amendment No. 12, and shall be read together with and deemed part of the Designs Regulations 1954* (hereinafter referred to as the principal regulations).

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

*S.R. 1954/224

Amendment No. 1: (*Revoked by S.R. 1976/28*)

Amendment No. 2: S.R. 1975/54

Amendment No. 3: (*Revoked by S.R. 1977/63*)

Amendment No. 4: (*Revoked by S.R. 1980/81*)

Amendment No. 5: (*Revoked by S.R. 1982/86*)

Amendment No. 6: (*Revoked by S.R. 1984/126*)

Amendment No. 7: (*Revoked by S.R. 1985/226*)

Amendment No. 8: (*Revoked by S.R. 1986/68*)

Amendment No. 9: (*Revoked by S.R. 1987/228*)

Amendment No. 10: S.R. 1987/228

Amendment No. 11: S.R. 1988/280

(3) Regulations 2 and 5 of these regulations shall come into force on the 1st day of March 1992.

2. New scale of fees substituted—The principal regulations are hereby amended by revoking the First Schedule (as substituted by regulation 2 of the Designs Regulations 1954, Amendment No. 11), and substituting the First Schedule set out in the Schedule to these regulations.

3. Transitional provisions relating to extension fees—(1) The fee payable in respect of any application for extension of copyright pursuant to section 12 of the Designs Act 1953 shall be the fee that would have been payable if regulation 2 of these regulations had not been made in any case where—

(a) The current period of copyright expires on or before the 29th day of February 1992; or

(b) The application for extension of copyright for the period was made and the fee paid on or before the date of the notification of these regulations in the *Gazette*.

(2) Subject to subclause (1) of this regulation, where the current period of registration expires on or after the 1st day of March 1992, the fee payable in respect of any application for extension of copyright for any subsequent period pursuant to section 12 of the Designs Act 1953 shall be the fee that would have been payable if regulation 2 of these regulations had come into force before the making of the application and the payment of the fee.

4. Amount of goods and services tax not included—Except in relation to the item marked * in the First Schedule to the principal regulations (as substituted by regulation 2 of these regulations), the fees prescribed by the principal regulations are exclusive of goods and services tax under the Goods and Services Tax Act 1985.

5. Revocation—The Designs Regulations 1954, Amendment No. 11 are hereby consequentially revoked.

SCHEDULE
NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS
"FIRST SCHEDULE
FEES

Reg. 2

Reg. 3

Item	Matter	Amount \$	Corresponding Designs Form No.
1	On application to register 1 design to be applied to a single article	100	2 or 3
2	On application to register 1 design to be applied to a set of articles	100	4 or 5
3	On application for extension of copyright under section 12 (2) of the Act for second period ..	100	12
4	On application for extension of copyright under section 12 (2) of the Act for third period ..	200	13
5	On request to enter subsequent proprietorship, etc., under regulation 45 of these regulations:		
	In respect of 1 design ..	50	15 or 16
	On each application covering more than 1 design, the devolution of title being the same as in the first design:		
	For the first design ..	50	15 or 16
	For each additional design	25	..
6	On application for entry of notification of document in the register:		
	In respect of 1 design ..	50	17
	On each application covering more than 1 design, and referred to in the same document as the first design:		
	For the first design ..	50	17
	For each additional design	30	..
7	On application of mortgagee, licensee, or other person for entry that the applicant no longer claims such interest:		
	In respect of 1 design ..	40	18
	For each additional design	30	..
8	On application to enter change of name or nationality of registered proprietor in the register:		
	In respect of 1 design ..	40	19
	For each additional design	20	..

SCHEDULE—*continued*NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS—*continued*“FIRST SCHEDULE—*continued*”FEES—*continued*

Item	Matter	Amount \$	Corresponding Designs Form No.
9	On application for alteration of address or address for service in the register:		
	In respect of 1 design ..	40	20
	For each additional design ..	20	..
10	On application by proprietor for cancellation	30	21
11	On application under section 41 of the Act for leave to dispense with the production of probate or letters of administration	50	22
12	On application under section 29 (3) of the Act to correct error	60	23
13	On giving notice of opposition to correction of error ..	130	24
14	On application for certificate of Commissioner for use in obtaining registration outside New Zealand or for use in legal proceedings or other special purpose	60	25
15	On application for a further certificate of registration ..	50	26
16	On application for search under section 31 of the Act when registration number is supplied	30	27
17	On application for search under section 31 of the Act when registration number is not supplied	50	28
18	On application for search under regulation 59 of these regulations	50	29
19	On application for compulsory licence under section 14 of the Act	170	30
20	On notice that hearing of an application for cancellation or compulsory licence will be attended	60	31
21	On application for cancellation of registration under section 15 (2) of the Act	100	32

SCHEDULE—*continued*NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS—*continued*“FIRST SCHEDULE—*continued*”FEES—*continued*

Item	Matter	Amount \$	Corresponding Designs Form No.
22	On application for entry of order of Court in register ..	40	33
23	On all applications for extension of time not being extensions of the period of copyright in a design: For each month or part thereof	30	7, 14, 34
24	For photographic copy of documents: Per document	4	
	Plus each page copied ..	0.28	
	Each page copied by way of self service	0.14*	..
25	For certifying office copies, MSS., printed or photographic ..	35	..
26	On hearing before Commissioner other than hearings to which item 20 applies	60	..”

* Inclusive of goods and services tax under the Goods and Services Tax Act 1985.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations prescribe a new scale of fees in respect of various matters under the Designs Regulations 1954. Under the new scale one fee (the fee for photocopying documents) is increased and the fees for a number of matters are reduced.

Regulation 2 which comes into force on 1 March 1992, substitutes a new scale of fees payable in respect of various matters. A new fee is prescribed for obtaining photographic copies of documents by way of self service.

Regulation 3 provides that, except in respect of the fee for the photocopying of documents by way of self service, the fees prescribed by the principal regulations are exclusive of goods and services tax.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 12 December 1991.

These regulations are administered in the Ministry of Commerce.