



THE DESIGNS REGULATIONS 1954, AMENDMENT NO. 8

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 9th day of September
1985

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 46 and 47 of the Designs Act 1953, His 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. 8, 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 date of their notification in the *Gazette*.

(3) Regulations 2 and 5 of these regulations shall come into force on the 1st day of October 1985.

*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: S.R. 1984/126

2. Certain fees increased—(1) Regulation 81 of the principal regulations (as amended by regulation 2 (1) of the Designs Regulations 1954, Amendment No. 7) is hereby amended by omitting the expression “\$30”, and substituting the expression “\$35”

(2) The principal regulations are hereby further amended by revoking the First Schedule (as substituted by regulation 2 (2) of the Designs Regulations 1954, Amendment No. 7), 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 30th day of September 1985; or

(b) The application for extension of copyright for the period was made and the fee paid 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 October 1985, 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. Commissioner’s discretion in cases of doubt—Where any doubt or uncertainty arises as to whether any fee that is payable on or before the 30th day of September 1987 is payable at the higher rate payable after regulation 2 of these regulations comes into force or at the lower rate payable before that regulation comes into force, the Commissioner may, if he thinks fit, accept payment at the lower rate in full satisfaction of the fee payable.

5. Revocation—The Designs Regulations 1954, Amendment No. 7 are hereby consequentially revoked.

Reg. 2 (2)

SCHEDULE

NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 3

"FIRST SCHEDULE

FEES

Item No.	Subject or Proceeding	Amount \$	Corresponding Designs Form No.
1	On application to register 1 design to be applied to a single article	60	2 or 3
2	On application to register 1 design to be applied to a set of articles	80	4 or 5
3	On application for extension of copyright under section 12 (2) of the Act for second period . .	70	12
4	On application for extension of copyright under section 12 (2) of the Act for third period . .	140	13
5	On request to enter subsequent proprietorship, etc., under regulation 45 of these regulations:		
	In respect of 1 design . .	30	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 . .	30	15 or 16
	For each additional design	15	...
6	On application for entry of notification of document in the register:		
	In respect of 1 design . .	30	17
	On each application covering more than 1 design and referred to in the same document as the first design:		
	For the first design . .	30	17
	For each additional design	15	...
7	On application of mortgagee, licensee, or other person for entry that he no longer claims such interest:		
	In respect of 1 design . .	25	18
	For each additional design . .	15	...
8	On application to enter change of name or nationality of registered proprietor in the register:		
	In respect of 1 design . .	25	19
	For each additional design . .	15	...

SCHEDULE—*continued*

Item No.	Subject or Proceeding	Amount \$	Corresponding Designs Form No.
9	On application for alteration of address or address for service in the register:		
	In respect of 1 design ..	25	20
	For each additional design ..	15	...
10	On application by proprietor for cancellation	20	21
11	On application under section 41 of the Act for leave to dispense with the production of probate or letters of administration ..	30	22
12	On application under section 29 (3) of the Act to correct error ..	30	23
13	On giving notice of opposition to correction of error	80	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	30	25
15	On application for a further certificate of registration ..	30	26
16	On application for search under section 31 of the Act when registration number is supplied	20	27
17	On application for search under section 31 of the Act when registration number is not supplied	30	28
18	On application for search under regulation 59 of these regulations	30	29
19	On application for compulsory licence under section 14 of the Act	105	30
20	On notice that hearing of an application for cancellation or compulsory licence will be attended	35	31
21	On application for cancellation of registration under section 15 (2) of the Act	60	32
22	On application for entry of order of Court in register	25	33

Item No.	Subject or Proceeding	Amount \$	Corresponding Designs Form No.
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	20	7, 14, 34
24	For photographic copy of documents	\$1 per document plus 15 cents for each page copied	...
25	For certifying office copies, MSS., printed or photographic ..	25	...
26	On hearing before Commissioner other than hearings to which item 20 applies	35	..."

P. G. MILLEN,
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 amend the Designs Regulations 1954 by increasing the fees payable for various matters.

Regulation 1 relates to the Title and commencement.

Regulation 2 increases from \$30 to \$35 the fee payable under regulation 81 of the principal regulations relating to amendments of documents and drawings, and substitutes a new scale of fees payable in respect of various matters mentioned in the Schedule.

Regulations 3 and 4 are transitional provisions, and *regulation 5* is of a consequential nature only.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 September 1985.

These regulations are administered in the Department of Justice.