



Trade Descriptions Act 1968

1968 CHAPTER 29

Miscellaneous and supplemental

42 Continuation, for three years, of Orders in Council requiring indication of origin

- (1) Until the end of the period of three years beginning with the commencement of this Act the repeals made by this Act shall not affect—
 - (a) any Order in Council made under section 2 of the Merchandise Marks Act 1926, or the prohibition on the importation of any goods required by such an Order to bear an indication of origin at the time of importation, or
 - (b) the powers conferred by section 9 of that Act on local authorities and their officers with respect to goods to which such an Order applies ;and a person who contravenes the provisions of such an Order shall, subject to the provisions of this Act, be guilty of an offence and liable on summary conviction to a fine not exceeding five pounds, and in the case of a second or subsequent conviction to a fine not exceeding twenty pounds.
- (2) Nothing in this Act shall be taken to affect the meaning of the expression " indication of origin " in any such Order in Council.
- (3) Her Majesty may by Order in Council vary or revoke any Order in Council made under the said section 2.
- (4) Where any requirements with respect to any goods are for the time being imposed by an Order in Council made under the said section 2 and the Board of Trade are satisfied, on the representation of persons appearing to the Board to have a substantial interest in the matter, that the continued application of any of those requirements has caused or is likely to cause injury or hardship to such persons, or any of them, the Board may by statutory instrument direct that the Order, or any particular provisions of the Order, shall cease to apply to those goods or shall apply to such goods subject only to such modifications and conditions as the Board think fit; and where such a direction is in force the Order shall have effect subject to the direction.

Status: This is the original version (as it was originally enacted).

- (5) Any direction under this section which relates to goods of any description mentioned in subsection (2) of section 38 of this Act shall be given by the Board of Trade acting jointly as mentioned in that subsection.
- (6) A direction under this section, if not given for a shorter period or withdrawn earlier, shall cease to be in force at whichever of the following dates is the earlier, that is to say, twelve months after the date on which it was given or the date on which an Order in Council under this section varying the Order with respect to which the direction was given comes into force.
- (7) The Board of Trade shall publish any direction given under this section in such manner as they think appropriate.
- (8) A draft of any Order in Council to be made under this section shall be laid before Parliament.
- (9) The duty of local weights and measures authorities under section 26 of this Act to enforce the provisions of this Act shall not extend to the provisions of this section.