

*Status: Point in time view as at 06/04/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Powers and duties of Registrar. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### THE REGISTERED DESIGNS ACT 1949 AS AMENDED ARRANGEMENT OF SECTIONS

##### **Modifications etc. (not altering text)**

**C1** Sch. 4 extended (with modifications) (Isle of Man) (9.12.2001) by [S.I. 2001/3678](#), art. 3, [Sch. 3](#)

#### *Powers and duties of Registrar*

##### *Exercise of discretionary powers of registrar.*

- 29 Without prejudice to any provisions of this Act requiring the registrar to hear any party to proceedings thereunder, or to give to any such party an opportunity to be heard, rules made by the Secretary of State under this Act shall require the registrar to give to any applicant for registration of a design an opportunity to be heard before exercising adversely to the applicant any discretion vested in the registrar by or under this Act.

##### *Costs and security for costs.*

- 30 (1) Rules made by the Secretary of State under this Act may make provision empowering the registrar, in any proceedings before him under this Act—
- (a) to award any party such costs as he may consider reasonable, and
  - (b) to direct how and by what parties they are to be paid.
- (2) Any such order of the registrar may be enforced—
- (a) in England and Wales or Northern Ireland, in the same way as an order of the High Court;
  - (b) in Scotland, in the same way as a decree for expenses granted by the Court of Session.
- (3) Rules made by the Secretary of State under this Act may make provision empowering the registrar to require a person, in such cases as may be prescribed, to give security for the costs of—
- (a) an application for cancellation of the registration of a design,
  - (b) an application for the grant of a licence in respect of a registered design, or
  - (c) an appeal from any decision of the registrar under this Act,
- and enabling the application or appeal to be treated as abandoned in default of such security being given.

##### *Evidence before registrar.*

- 31 Rules made by the Secretary of State under this Act may make provision—

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- (a) as to the giving of evidence in proceedings before the registrar under this Act by affidavit or statutory declaration;
- (b) conferring on the registrar the powers of an official referee of the Supreme Court as regards the examination of witnesses on oath and the discovery and production of documents; and
- (c) applying in relation to the attendance of witnesses in proceedings before the registrar the rules applicable to the attendance of witnesses in proceedings before such a referee.

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