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## STATUTORY INSTRUMENTS

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# 1989 No. 1130

## The Design Right (Proceedings before Comptroller) Rules 1989

### Proceedings in respect of a dispute

5.—(1) Unless the Comptroller otherwise directs, all evidence in the proceedings shall be by statutory declaration or affidavit.

(2) Where the Comptroller thinks fit in any particular case to take oral evidence in lieu of or in addition to evidence by statutory declaration or affidavit he may so direct and, unless he directs otherwise, shall allow any witness to be cross-examined on his evidence.

(3) A party to the proceedings who desires to make oral representations shall so notify the Comptroller and the Comptroller shall, unless he and the parties agree to a shorter period, give at least 14 days' notice of the time and place of the hearing to the parties.

(4) If a party intends to refer at a hearing to any document not already referred to in the proceedings, he shall, unless the Comptroller and the other party agree to a shorter period, give 14 days' notice of his intention, together with particulars of every document to which he intends to refer, to the Comptroller and the other party.

(5) At any stage of the proceedings the Comptroller may direct that such documents, information or evidence as he may require shall be filed within such time as he may specify.

(6) The hearing of any proceedings, or part of proceedings, under this rule shall be in public, unless the Comptroller, after consultation with the parties, otherwise directs.

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#### Commencement Information

**II** Rule 5 in force at 1.8.1989, see [rule 1](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Design Right (Proceedings before Comptroller) Rules 1989. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- rule. 4 words inserted by [S.I. 1999/3195](#) rule. 3
- rule. 5(1)(2) words inserted by [S.I. 1999/3195](#) rule. 4(a)
- rule. 5(7)(8) inserted by [S.I. 1999/3195](#) rule. 4(b)
- rule. 18A inserted by [S.I. 1999/3195](#) rule. 5
- rule. 20(1) substituted by [S.I. 1999/3195](#) rule. 6
- rule. 21 words inserted by [S.I. 1999/3195](#) rule. 7(c)
- rule. 21(a)(b) words substituted by [S.I. 1999/3195](#) rule. 7(a)
- rule. 21(b) words substituted by [S.I. 1999/3195](#) rule. 7(b)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- rule 18A added by [S.I. 1999/3195](#) rule 5
- rule 23(1A) inserted by [S.I. 2006/760](#) rule 3(3)
- rule 23(1A) substituted by [S.I. 2009/546](#) rule 3
- rule 23(1A) word substituted by [S.I. 2019/638](#) Sch. 8 para. 14
- rule 23(1A) word substituted by [S.I. 2020/1317](#) rule 5(2)