

SCHEDULE 3

Regulation 10(2)

CIRCUMSTANCES IN WHICH REGULATION 10(1) DOES NOT APPLY

1. Regulation 10(1) does not apply where the name of a protected locality or a protected region forms part of a trade mark or company name registered before 1st September 2009 and the name of the protected locality or protected region is only included on the labelling or packaging of a Scotch Whisky, or a Scotch Whisky-based drink, as part of that trade mark or company name.
2. Regulation 10(1) does not apply where the name of a protected locality or a protected region is mentioned only as part of the address of the distiller, producer, bottler, brand owner or seller of the drink.
3. In relation to a Blended Malt Scotch Whisky, a Blended Grain Scotch Whisky or a Blended Scotch Whisky, regulation 10(1) does not apply where—
 - (a) a protected locality or protected region is only mentioned by a reference to the individual whiskies that have been blended together to make the whisky; and
 - (b) the individual whiskies that have been blended together to make the whisky were not distilled anywhere else but in the specified localities or regions.
4. Regulation 10(1) does not apply where a brand owner refers in the labelling, packaging or advertising of one of their brands of Scotch Whisky to another brand of Scotch Whisky owned by them and the reference to the other brand includes a reference to a protected locality or protected region in which that other brand is distilled.

Changes to legislation:

There are currently no known outstanding effects for the The Scotch Whisky Regulations 2009, SCHEDULE 3.