



Olympic Insignia Protection Regulations 1993

Statutory Rules No. 234, 1993

made under the

Olympic Insignia Protection Act 1987

Compilation No. 5

Compilation date:	1 July 2015
Includes amendments up to:	SLI No. 90, 2015
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About this compilation

This compilation

This is a compilation of the *Olympic Insignia Protection Regulations 1993* that shows the text of the law as amended and in force on 1 July 2015 (the *compilation date*).

This compilation was prepared on 19 August 2015.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw (www.comlaw.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name of Regulations

These Regulations are the *Olympic Insignia Protection Regulations 1993*.

2 Definitions

In these Regulations:

Act means *Olympic Insignia Protection Act 1987*.

approved form means a form mentioned in subsection 14 (1) of the Act.

Designs Regulations means the *Designs Regulations 1982*.

3 Application for registration of olympic design—fee

For the purposes of paragraph 10 (2) (b) of the Act, the fee for an application for registration of an olympic design is an amount equal to the amount of the fee prescribed under regulation 4 of the Designs Regulations for the lodging of an application for the registration of a design.

4 Application for extension of protection period—registered olympic designs: fee

For the purposes of paragraph 11 (2) (b) of the Act, the fee for an application for extension of the protection period in relation to a registered olympic design is an amount equal to the amount of the fee prescribed under regulation 4 of the Designs Regulations for the lodging of a request for the second extension of the period of registration of a design.

5 Times for public inspection of Register

For the purposes of subsection 12 (3) of the Act, the times at which the Designs Office is open to the public in accordance with regulation 53 of the Designs Regulations are prescribed.

6 Correction of Register of Olympic Designs

- (1) On a request being made in the approved form, the Registrar may amend an entry in the Register of Olympic Designs for the purposes of correcting a clerical error or an obvious mistake.
- (2) The Registrar may, of his or her own initiative, amend an entry in the Register of Olympic Designs to correct a clerical error or an obvious mistake.

6A Period for doing certain acts—office not open for business

For subsection 14A (1) of the Act, the circumstance is that the act is done at the Designs Office.

Note: Subsection 14A (1) provides as follows:

- ‘(1) If the last day of a period provided by this Chapter (except this section), or regulations made for the purposes of this Chapter, for doing an act is a day when the Designs Office is not open for business, the act may be done in prescribed circumstances on the next day when the office is open for business.’

6B Days when office not open for business

- (1) For paragraph 14A (2) (a) of the Act, the days on which the Designs Office is not open for business are:
 - (a) Saturday; and
 - (b) Sunday; and
 - (c) Australia Day; and
 - (d) Anzac Day.
- (2) For paragraph 14A (2) (b) of the Act, the table sets out prescribed persons.

Item	Person
1	The Director General of IP Australia
2	The Deputy Director General of IP Australia
3	Another person who: (a) is an SES employee of IP Australia; and (b) acts with the agreement of the Director General of IP Australia
4	Another person who: (a) is an SES employee of IP Australia; and (b) acts with the agreement of the Deputy Director General of IP Australia
5	Another person who: (a) is an SES employee of IP Australia; and (b) acts with the agreement of another SES employee of IP Australia

Note: **SES employee** is explained in section 34 of the *Public Service Act 1999*. That meaning is applied generally to Commonwealth legislation by section 2B of the *Acts Interpretation Act 1901*.

- (3) For paragraph 14A (2) (b) of the Act, the prescribed way of publishing a declaration is in the Official Journal of Designs.

6C Period for doing certain acts—acts to which section 14A does not apply

For subsection 14A (7) of the Act, an act done in relation to proceedings in a court or a tribunal is prescribed.

7 Register of licences for copyright in the olympic symbol and for protected designs

For subsection 18A (1) of the Act the particulars for a licence that are to be included in the Register are:

- (a) the name and address of the holder of the licence; and
- (b) the period for which the licence is granted; and
- (c) a description of the articles to which a protected design may be applied under the licence; and

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- (d) if the licence relates to copyright in the olympic symbol, a statement to that effect; and
- (e) if the licence relates to a protected design:
 - (i) a statement to that effect; and
 - (ii) one or more representations of the design sufficient to give a true indication of the design.

8 Register of licences for use of protected olympic expressions

- (1) For subsection 40 (1) of the Act, the particulars for a licence that are to be included in the Register are:
 - (a) the name and address of the licensed user; and
 - (b) the period for which the licence is granted; and
 - (c) the protected olympic expressions that may be used under the licence; and
 - (d) a description of the goods and services to which a protected olympic expression may be applied under the licence.

Note: Subsection 28 (1) of the Act explains when an expression is applied to goods or services.

- (2) In this regulation:

licensed user has the meaning given by section 23 of the Act.

9 Period of effect of notice of objection to importation

For subsection 52 (5) of the Act, the period for a notice of objection to importation is 4 years beginning when the notice is given to the Comptroller-General of Customs in accordance with section 52 of the Act.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

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A = Act	o = order(s)
ad = added or inserted	Ord = Ordinance
am = amended	orig = original
amdt = amendment	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
c = clause(s)	pres = present
C[x] = Compilation No. x	prev = previous (prev...) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislative Instruments	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LI = Legislative Instrument	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement date	Application, saving and transitional provisions
1993 No. 234	9 Sept 1993	9 Sept 1993	
2002 No. 12	21 Feb 2002	21 Feb 2002	—
2007 No. 40	23 Mar 2007 (F2007L00650)	r 1–10 and Sch 1, 2, 3, 5 and 6: 27 Mar 2007 (r 2(a)) Sch 4 and 8: 1 Apr 2007 (r 2 (b)) Sch 7: 27 Mar 2007 (r 2 (c))	—
2011 No. 62	16 May 2011 (F2011L00773)	1 July 2011 (r 2)	—
2011 No. 217	29 Nov 2011 (F2011L02480)	Sch 1 (Part 2): 27 Dec 2011 (r 2(a))	—
90, 2015	19 June 2015 (F2015L00854)	Sch 2 (item 180): 1 July 2015 (s 2(1) item 2)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
r. 1	rs. 2002 No. 12
r. 2	rs. 2002 No. 12
Heading to r. 6	rs. 2002 No. 12
r. 6A	ad. 2007 No. 40
r. 6B	ad. 2007 No. 40
	am. 2011 No. 62; No 217, 2011
r. 6C	ad. 2007 No. 40
r. 7	ad. 2002 No. 12
r. 8	ad. 2002 No. 12
r. 9	ad. 2002 No. 12
	am No 90, 2015
