

STATUTORY INSTRUMENTS

1989 No. 816 (C. 21)
COPYRIGHT
DESIGNS
PATENTS
RIGHTS IN PERFORMANCES

The Copyright, Designs and Patents Act 1988
(Commencement No. 1) Order 1989

Made

9th May 1989

The Secretary of State, in exercise of the powers conferred upon him by section 305(3) of the Copyright, Designs and Patents Act 1988¹, hereby makes the following Order:

1. This Order may be cited as the Copyright, Designs and Patents Act 1988 (Commencement No. 1) Order 1989.

2. The following provisions of the Copyright, Designs and Patents Act 1988 shall come into force on 1st August 1989:

Part I (copyright);

Part II (rights in performances);

Part III (design right);

Part IV (registered designs), except—

section 272 in so far as it relates to paragraph 21 of Schedule 3, and section 273;

Part VI (patents), except—

sections 293 and 294, and

section 295 in so far as it relates to paragraphs 1 to 11 and 17 to 30 of Schedule 5;

Part VII (miscellaneous and general), except—

section 301,

section 303(1) in so far as it relates to paragraphs 15, 18(2) and 21 of Schedule 7, and

section 303(2) in so far as it relates to the references in Schedule 8 to section 32 of the

Registered Designs Act 1949² and to the provisions of the Patents Act 1977³, other than section 49(3) of, and paragraphs 1 and 3 of Schedule 5 to, that Act;

Schedule 1 (copyright: transitional provisions and savings);

Schedule 2 (rights in performances: permitted acts);

Schedule 3 (minor and consequential amendments to the Registered Designs Act 1949), other than paragraph 21;

Schedule 5 (patents: miscellaneous amendments), other than paragraphs 1 to 11 and 17 to 30;

Schedule 7 (consequential amendments), other than paragraphs 15, 18(2) and 21;

Schedule 8 (repeals), except in so far as it relates to—

¹1988 c.48.

²1949 c.88.

³1977 c.37.



section 32 of the Registered Designs Act 1949, and the provisions of the Patents Act 1977, other than section 49(3) of, and paragraphs 1 and 3 of Schedule 5 to, that Act.

Eric Forth

Parliamentary Under Secretary of State for
Industry and Consumer Affairs
Department of Trade and Industry

9th May 1989

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the majority of the provisions of the Copyright, Designs and Patents Act 1988 on 1st August 1989.

The provisions relating to the Hospital for Sick Children, Great Ormond Street, London (section 301 and Schedule 6) and two provisions making minor amendments to the Patents Act 1977 (paragraphs 24 and 29 of Schedule 5) came into force on Royal Assent by virtue of section 305(1). The provisions relating to licences of right in respect of patents (sections 293 and 294) came into force on 15th January 1989 by virtue of section 305(2).

All that remains to be brought into force are:

- (1) the provisions relating to the text of the Registered Designs Act 1949, as amended (section 273 and Schedule 4);
- (2) the provisions relating to patent agents and trade mark agents (Part V, paragraph 21 of Schedule 3, paragraphs 15, 18(2) and 21 of Schedule 7 and parts of, or part of the effect of, each of sections 272, 303(1) and (2) and Schedule 8);
- (3) certain of the provisions which amend the Patents Act 1949 (c.87) and the Patents Act 1977 (paragraphs 1 to 11 and 17 to 30 of Schedule 5 and parts of, or part of the effect of, each of sections 295 and 303(2) and Schedule 8).