



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

Rules, etc.

36 General power of Board of Trade to make rules, etc.

(1) Subject to the provisions of this Act, [^{F1}the Secretary of State,] may make such rules [^{F1}as he thinks expedient] for regulating the business of the Patent Office in relation to designs and for regulating all matters by this Act placed under the direction or control of the registrar or [^{F1}the Secretary of State,] . . . ^{F2}.

[^{F3}(1A) Rules may, in particular, make provision—

[^{F4}(a) requiring the furnishing of copies of such representations or specimens of designs or other documents as may be filed at the Patent Office;]

[^{F5}(ab) requiring applications for registration of designs to specify—
(i) the products to which the designs are intended to be applied or in which they are intended to be incorporated;
(ii) the classification of the designs by reference to such test as may be prescribed;]

(b) regulating the procedure to be followed in connection with any application or request to the registrar or in connection with any proceeding before him, and authorising the rectification of irregularities of procedure;

(c) providing for the appointment of advisers to assist the registrar in proceedings before him;

(d) regulating the keeping of the register of designs;

(e) authorising the publication and sale of copies of representations of designs and other documents in the Patent Office;

(f) prescribing anything authorised or required by this Act to be prescribed by rules.

(1B) The remuneration of an adviser appointed to assist the registrar shall be determined by the Secretary of State with the consent of the Treasury and shall be defrayed out of money provided by Parliament.]

Changes to legislation: Registered Designs Act 1949, Section 36 is up to date with all changes known to be in force on or before 21 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) Rules made under this section may provide for the establishment of branch offices for designs and may authorise any document or thing required by or under this Act to be filed or done at the Patent Office to be filed or done at the branch office at Manchester or any other branch office established in pursuance of the rules.

Subordinate Legislation Made

- P1** S. 36: for previous exercises of this power see Index to Government Orders
P2 S. 36: s. 36 (with ss. 40 and 44(1)) power exercised by [S.I. 1991/1628](#)
P3 S. 36:s. 36(1):power exercised by [S.I. 1991/675](#)

Textual Amendments

- F1** Words substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 272, **Sch. 3 para. 26(2)**
F2 Words repealed by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 272, **Sch. 3 para. 26(3)**
F3 S. 36(1A)(1B) added by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 272, **Sch. 3 para. 26(3)**
F4 S. 36(1A)(a) substituted (1.10.2014) by [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 12(3)**, 24(1) (with s. 12(6)); [S.I. 2014/2330](#), art. 3, Sch.
F5 S. 36(1A)(ab) inserted (9.12.2001) by [S.I. 2001/3949](#), reg. 9(1), **Sch. 1 para. 11** (with transitional provisions in [regs. 10-14](#))

Modifications etc. (not altering text)

- C1** S. 36 extended by [Copyright Act 1956 \(c. 74\)](#), s. **10(5)**

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

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

- s. 22(1)(aa) and word inserted by [2014 c. 18 s. 9\(2\)](#)
- s. 22(5) inserted by [2014 c. 18 s. 9\(4\)](#)
- s. 22(6)(7) inserted by [2014 c. 18 s. 9\(5\)](#)