



ST. HELENA

CHAPTER 128

UNITED KINGDOM DESIGNS (PROTECTION) ORDINANCE

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

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Ordinance 7 of 1930 .. in force 1 September 1930

Amended by Ordinance 7 of 1932

No Subsidiary Legislation has been made under this Ordinance

¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 128**UNITED KINGDOM DESIGNS
(PROTECTION) ORDINANCE***(Ordinances 7 of 1930 and 7 of 1932)*

AN ORDINANCE TO PROVIDE FOR THE PROTECTION IN ST. HELENA OF DESIGNS REGISTERED IN THE UNITED KINGDOM.

Commencement*[1 September 1930]***Short title**

1. This Ordinance may be cited as the United Kingdom Designs (Protection) Ordinance.

Enjoyment of privileges and rights in St. Helena

2. Subject to the provisions of this Ordinance, the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts, 1907 and 1919, or any Act amending or substituted for those Acts shall enjoy in St. Helena the like privileges and rights as though the Certificate of Registration in the United Kingdom had been issued with an extension to St. Helena.

Recovery of damages in respect of any infringement of copyright

3. The registered proprietor of a design shall not be entitled to recover any damages in respect of any infringement of copyright in a design from any defendant who proves that at the date of the infringement he was not aware nor had any reasonable means of making himself aware of the existence of the registration of the design:

Provided that nothing in this section shall affect any proceedings for an injunction.

Powers of Court

4. (1) The Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected to declare that exclusive privileges and rights in a design have not been acquired in St. Helena under the provisions of this Ordinance upon any of the grounds upon which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom.

(2) Such grounds shall be deemed to include the publication of the design in St. Helena prior to the date of registration of the design in the United Kingdom.