



ST HELENA

REVISED EDITION OF THE LAWS, 2017

EMPLOYMENT & COMMERCE

UNITED KINGDOM DESIGNS (PROTECTION) ORDINANCE, 1930¹

Ordinance 7 of 1930

In force 1 September 1930

Amended by Ordinance 7 of 1932

No subsidiary legislation to 1 November 2017

UNITED KINGDOM DESIGNS (PROTECTION) ORDINANCE, 1930

ARRANGEMENT OF SECTIONS

1. Short title
2. Enjoyment of privileges and rights in St Helena
3. Recovery of damages in respect of any infringement of copyright
4. Powers of court

AN ORDINANCE to provide for the protection in St Helena of designs registered in the United Kingdom.

Short title

1. This Ordinance may be cited as the United Kingdom Designs (Protection) Ordinance, 1930.

Enjoyment of privileges and rights in St Helena

2. Subject to this Ordinance, the registered proprietor of any design registered in the United Kingdom under the Registered Designs Act, 1949, or any Act amending or substituted for that Act has 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

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

3. (1) The registered proprietor of a design is not 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 the defendant was not aware nor had any reasonable means of becoming aware of the existence of the registration of the design:

(2) This section does not affect any proceedings for an injunction.

Powers of court

4. (1) The court may, upon the application of any person who alleges that the person's interests have been prejudicially affected, 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) The grounds mentioned in subsection (1) include the publication of the design in St Helena prior to the date of registration of the design in the United Kingdom.
