

THE REGISTERED DESIGNS (AMENDMENT) BILL,

2010

MEMORANDUM

The object of this Bill is to amend the Registered Designs Act so as to—

- (a) provide for the registration of designs by the Patents and Companies Registration Agency; and
- (b) provide for matters connected with, or incidental, to the foregoing.

A. J. SHONGA, JNR,
Solicitor General

N.A.B. 16, 2010
17th February, 2010

A BILL

ENTITLED

An Act to amend the Registered Designs Act.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Registered Designs (Amendment) Act, 2010, and shall be read as one with the Registered Designs Act, in this Act referred to as the principal Act.

Short title

Cap. 402

2. Section *two* of the principal Act is amended—

Amendment
of section 2

(a) by the insertion in the appropriate place of the following new definition:

“Agency” means the Patents and Companies
Registration Agency established under section
three of the Patents and Companies Registration
Agency Act, 2010;

Act No. of
2010

(b) by the deletion of the definition “Designs Office”; and

(c) by the deletion of the definition of “Registrar” and the
substitution therefor of the following new definition:

“Registrar” means the person appointed as Registrar
under section *fourteen* of the Patents and
Companies Registration Agency Act, 2010;.

Act No. of
2010

3. The principal Act is amended by the repeal of section *three*
and the substitution therefor of the following:

3. This Act shall be administered by the Agency.

Administration
of Act

4. The principal Act is amended by the repeal of section *four*
and the substitution therefor of the following:

Repeal and
replacement
of section 4
Registrar and
other staff
Act No. of
2010

4.(1) The Registrar shall exercise the powers and perform
the duties assigned to the Registrar by this Act and the
Patents and Companies Registration Agency Act, 2010.

(2) The Agency may appoint, on such terms and conditions as
it may determine, examiners and such other staff as it
considers necessary for the performance of its functions
under this Act.

5. The principal Act is amended by the repeal of section *five*
and the substitution therefor of the following:

Repeal and
replacement
of section 3

5.(1) The seal of the Agency kept in terms of the Patents and
Companies Registration Agency Act, 2010, shall be used
for the purposes of this Act and the impression thereof
made for such purposes shall be judicially noticed.

Seal
Act No. of
2010

N.A.B. 16, 2010

4 [No. of 2010 Registered Designs(Amendment)

Amendment
of section 56

(2)On the commencement of this Act, any impression of a seal made for the purposes of this Act before the commencement of this Act shall be deemed to be an impression of the seal of the Agency.

Amendment
of section 58

6.Section *fifty-six* of the principal Act is amended by the deletion of the word “Minister” wherever it appears and the substitution therefor of the word “Agency”. 5

General
amendment of
Act

7.Section *fifty eight* of the principal Act is amended in subsection (1) by the insertion immediately after the words “statutory instrument” of a comma and the words “on the recommendation of the Agency”. 10

8.The principal Act is amended by the deletion of the words “Designs Office” and “Patent Office” wherever they appear and the substitution therefor of the word “Agency”.
