



**THE
SOUTH GEORGIA
AND THE
SOUTH SANDWICH ISLANDS GAZETTE**

PUBLISHED BY AUTHORITY

No. 1

23rd February 2001

The following is published in this Gazette -

Currency (Amendment) Ordinance 2001.

ELIZABETH II



The Territories of South Georgia and the
South Sandwich Islands

DONALD ALEXANDER LAMONT,
Commissioner.

Currency (Amendment) Ordinance 2001

(No. 1 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Currency Ordinance

ELIZABETH II



The Territories of South Georgia and the
South Sandwich Islands

DONALD ALEXANDER LAMONT,
Commissioner.

CURRENCY (AMENDMENT) ORDINANCE 2001

(No. 1 of 2001)

(assented to: 14 February 2001)

(commencement: on publication)

(published: 23 February 2001)

AN ORDINANCE

To amend the Currency Ordinance

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows —

Short title

1. This Ordinance may be cited as the Currency (Amendment) Ordinance 2001.

Amendment of the Currency Ordinance

2. The Currency Ordinance 2000(a) is amended by the insertion of the words “in the case of any coin which is not a gold coin and twenty pounds in relation to any gold coin” after the words “five pounds” in section 3(2) of the Ordinance.

Made this fourteenth day of February 2001

D A Lamont
Commissioner

(a) No 3 of 2000



**THE
SOUTH GEORGIA
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PUBLISHED BY AUTHORITY

No. 2

19th November 2001

The following are published in this Gazette -

Notice No. 1 of 2001 - Appointment of Acting Attorney General;

Trade Marks Ordinance 2001.

NOTICE

No. 1

19th November 2001.

SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS

APPOINTMENT OF ACTING ATTORNEY GENERAL

IN EXERCISE of my powers under section 7 of the South Georgia and the South Sandwich Islands Order 1985 and all other powers me enabling I **DONALD ALEXANDER LAMONT** Commissioner for South Georgia and the South Sandwich Islands **HEREBY** authorise **GRAHAM JAMES CRIPPS** to discharge the functions and duties of the post of Attorney General whenever the substantive holder of the post of Attorney General **DAVID GEOFFREY LANG** is unavailable to discharge the same through absence from the Falkland Islands

Given under my hand and the Public Seal at Stanley on this first day of June 2001

D A Lamont
Commissioner

ELIZABETH II



The Territories of South Georgia
and the South Sandwich Islands

DONALD ALEXANDER LAMONT,
Commissioner.

TRADE MARKS ORDINANCE 2001

(No. 2 of 2001)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Repeal and saving
3. Extension to the South Georgia and the South Sandwich Islands of protection for certain trade marks

ELIZABETH II



The Territories of South Georgia
and the South Sandwich Islands

DONALD ALEXANDER LAMONT,
Commissioner.

Trade Marks Ordinance 2001

(No. 2 of 2001)

An Ordinance

(assented to: 8th November 2001)
(commencement: in accordance with section 1)
(published: 19th November 2001)

To repeal the Registration of United Kingdom Trade Marks Ordinance, to provide that trade marks which have effect in the United Kingdom shall have effect in South Georgia and the South Sandwich Islands and for connected purposes.

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows—

Short title and commencement

1. This Ordinance may be cited as the Trade Marks Ordinance 2001 and shall come into force on such date as may be fixed by the Commissioner by notice published in the *Gazette*.

Repeal and saving

2.—(1) The Registration of United Kingdom Trade Marks Ordinance (“the disappplied Ordinance”) shall no longer have effect in South Georgia and the South Sandwich Islands.

(2) Notwithstanding subsection (1) but subject to subsection (3) of this section, the registration of any trade mark registered under the disappplied Ordinance which had effect immediately before the commencement of this Ordinance shall continue to have effect as if the Ordinance had not been disappplied.

(3) Where, by virtue of subsection (2) of this section, the registration of a trade mark continues to have effect, in respect of that trade mark section 9 of the Registration of United Kingdom Trade Marks Ordinance (power of the Supreme Court to declare that rights and privileges obtained by registration have not been acquired) shall continue to have effect as if that section had not been repealed, but without prejudice to the operation of section 3 of this Ordinance in respect of the trade mark in question.

Extension to South Georgia and the South Sandwich Islands of protection for certain trade marks

3.—(1) The proprietor of a trade mark which is in the United Kingdom a registered trade mark for the purposes of the Trade Marks Act 1994 (“the 1994 Act”) has exclusive rights in South Georgia and the South Sandwich Islands in that trade mark which are infringed by use of that trade mark in South Georgia and the South Sandwich Islands without his consent.

The acts amounting to infringement, if done without the consent of the proprietor, are those specified in section 10 of the 1994 Act, substituting “South Georgia and the South Sandwich Islands” for “United Kingdom” in that section, but a trade mark is not infringed by anything declared by sections 11 and 12 of the 1994 Act not to amount to infringement of it.

(2) Sections 14 to 19, 21 and 100 of the 1994 Act shall have effect in South Georgia and the South Sandwich Islands in and in relation to proceedings for infringement of a registered trade mark and so as to confer the like jurisdiction upon the Supreme Court as by virtue of those sections is in England enjoyed by the High Court.

(3) Sections 28 and 31 of the 1994 Act (licensing) shall have effect in South Georgia and the South Sandwich Islands in relation to all trade marks to which subsection (1) of this section relates.

(4) The provisions of the 1994 Act mentioned in the foregoing provisions of this section shall also have effect in South Georgia and the South Sandwich Islands —

(a) in relation to collective marks, subject to any modifications required by the provisions of Schedule I to the 1994 Act; and

(b) in relation to certification marks, subject to any modifications required by the provisions of Schedule II to the 1994 Act.

(5) Sections 92, 95, 97 and 99 of the 1994 Act shall apply in South Georgia and the South Sandwich Islands —

(a) with the substitution in section 92(4)(b) of the words “South Georgia and the South Sandwich Islands” for the words “United Kingdom”;

(b) with the substitution of the following subsection for section 92(6) —

“(6) A person who is convicted of an offence under this section is liable to a fine not exceeding fifty thousand pounds or imprisonment for a term not exceeding ten years.”

(c) with the substitution of the words “South Georgia and the South Sandwich Islands” for the words “England and Wales or Northern Ireland” in section 97(1);

(d) with the substitution of the words “court of summary jurisdiction” for the words “magistrates’ court” in section 97(2)(b);

(e) with the substitution of the following subsection for section 97(5) —

“(5) Any person aggrieved by an order under this section by a court of summary jurisdiction, or by a decision of such a court not to make such an order may appeal against that order or decision to the Supreme Court; and an order made by a court of summary jurisdiction under this section may contain such provision as appears to the court to be appropriate pending the making and determination of any appeal.”

(f) in section 97(8), by omission of the reference to the Trade Descriptions Act 1968.

(6) In this section, and in application by this section to South Georgia and the South Sandwich Islands of any provision of the 1994 Act —

“certification mark” has the meaning given by section 50(1) of the 1994 Act;

“collective mark” has the meaning given by section 49(1) of the 1994 Act; and

“registered trade mark” means a trade mark (within the meaning given by section 1 of the 1994 Act) which is a registered trade mark for the purposes of the 1994 Act.

Made this eighth day of November 2001

D A Lamont
Commissioner



**THE
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PUBLISHED BY AUTHORITY

No. 3

20th November 2001

The following is published in this Gazette -

The Civil Aviation Act 1982 (Overseas Territories)(No. 2) Order 2001.

2001 No. 3367

CIVIL AVIATION

**The Civil Aviation Act 1982 (Overseas Territories) (No. 2)
Order 2001**

Made - - - - - 9th October 2001

Coming into force - - - 10th October 2001

At the Court at Buckingham Palace, the 9th day of October 2001

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 108 of the Civil Aviation Act 1982(a) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Civil Aviation Act 1982 (Overseas Territories) (No. 2) Order 2001 and shall come into force on 10th October 2001.

Extension of section 76(4) of the Civil Aviation Act 1982

2. Section 76(4) of the Civil Aviation Act 1982, modified as in Schedule 1 to this Order, shall extend to the Territories specified in Schedule 2.

A. K. Galloway
Clerk of the Privy Council

(a) 1982 c. 16.

SCHEDULE 1

Article 2

CIVIL AVIATION ACT 1982

Section 76.—(4) Where an aircraft has been bona fide demised, let or hired out for any period exceeding fourteen days to any other person by the owner thereof, and no pilot, commander, navigator or operative member of the crew of the aircraft is in the employment of the owner, section 40(2) of the Civil Aviation Act 1949(a) (as extended by the Civil Aviation Act 1949 (Overseas Territories) Order 1969(b) to any of the Territories specified in Schedule 2 to this Order) shall have effect as if for references to the owner of the aircraft there were substituted references to the person to whom the aircraft has been so demised, let or hired out.

SCHEDULE 2

Article 2

TERRITORIES TO WHICH THIS ORDER APPLIES

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena and Dependencies
South Georgia and the South Sandwich Islands
The Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands
Virgin Islands

(a) 1949 c. 67.
(b) S.I. 1969/592.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends, with modifications, section 76(4) of the Civil Aviation Act 1982 to the Territories listed in Schedule 2 to the Order. The liability of the owner under section 40(2) of the Civil Aviation Act 1949, as extended to those Territories, for loss or damage caused by an aircraft in flight or by a person in, or an article, animal or person falling from such an aircraft, is transferred to the person to whom the owner has demised, let or hired out the aircraft if the demise, let or hire is for a period of more than 14 days and no crew member is employed by the owner.