

Subsidiary Legislation made under s.15.

**Merchandise Marks Rules****1913.01.10***Commencement***11.1.1913**

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**ARRANGEMENT OF RULES**

## Rules

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**1888-04**

**Merchandise Marks**

**1913.01.10**

**Merchandise Marks Rules**

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**Title.**

1. These rules may be cited as the Merchandise Marks Rules.

**Detention of goods.**

2. Where a revenue officer has reason to believe that any article imported into Gibraltar bears a false trade description in the nature of an imitation of an assay mark of the Worshipful Company of Goldsmiths of London, or of any one of the Assay Offices of Edinburgh, Dublin, Birmingham, Chester, Glasgow or Sheffield, he may detain such article, giving due notice to the consignee of such detention.

**Application for forfeiture.**

3. Application may be made to the magistrates' court for an order of forfeiture of any such article, the applicant giving notice of such application to the consignee, and the court may, if satisfied that such article bears a false trade description, order the forfeiture thereof to the Crown.

**Notice.**

4. A notice addressed to the consignee and left at the place to which the article in question is addressed shall be deemed to be sufficient notice for the purpose of these rules.

**Presumption of falsity.**

5. The fact that the fineness of the metal in any such article is below the standard purporting to be indicated by the assay mark, shall be sufficient by itself to prove the falsity of the trade description.

**Retain to consignee.**

6. If no application for forfeiture is made within seven days from the detention of any article, the article shall be delivered to the consignee.