The Government of the Federation of Rhodesia transmitted for publication the Merchandise Marks Amendment Act 1959 which came into force on 14 August 1959. The main provisions of this Act by which Articles of the original Act of 1957 (see document L/478/Add.15) were altered, are reproduced in this document. The original text can be consulted at the GATT secretariat.

1. . . .

2. . . .

3. Section 7 of the principal Act is amended by the repeal of subsections (1) and (2) and by the substitution therefor of the following subsections:

"(1) Subject to the provisions of subsection (2), no person shall sell or for the purpose of advertising goods distribute any goods manufactured externally, any goods assembled externally or any goods mixed externally or samples of such goods to which there is applied an offending mark unless there is also applied to those goods in the manner specified in section nine A the name of the country in which these goods were manufactured, assembled or mixed so as to indicate that those goods were manufactured, assembled or mixed, as the case may be, in that country.

(2) This section shall not have effect in respect of the application of a name or trade mark to—

(a) parts or materials of a type suitable only for consumption in a process of manufacture; or

(b) articles to be used as coverings, labels or reels or to articles in or with which goods manufactured, made, produced, assembled or mixed in the Federation are to be sold;

if the name or trade mark so applied is the name or trade mark of a manufacturer, producer, assembler, mixer of or trader in those goods in the Federation and the name or trade mark is applied with his consent."
4. Section 8 of the principal Act is amended by the repeal of subsection (1) and by the substitution therefor of the following subsection:

"(1) No person shall sell or for the purpose of advertising goods distribute in the Federation any goods manufactured, made, produced, assembled or mixed in the Federation or samples of such goods to which there is applied an offending mark unless there is also applied to those goods in the manner specified in section nine A the name of the Federation so as to indicate that those goods were manufactured, made, produced, assembled or mixed, as the case may be, in the Federation."

5. The principal Act is amended by the insertion after section nine of the following section -

"Manner of application of mark

9A. (1) Whenever the name of the country in which goods were manufactured, made, produced, assembled or mixed is applied to goods for the purposes of sections seven and eight that name shall be applied in a conspicuous manner -

(a) (i) in the case where an offending mark is applied to the goods themselves, to the goods themselves; or

(ii) in the case where an offending mark is applied to any covering, label or other attachment, either by means of such covering, label or other attachment or to the goods themselves;

(b) so as to render unlikely the obliteration, erasure or detachment of such name in the ordinary course of handling prior to sale to the consumer; and

(c) in a prominent position and so placed that it can be easily read without detaching or unwrapping any part of the covering in which the goods may be offered for sale, or wherever an offending mark is applied.

(2) Notwithstanding the provisions of subsection (1), the Minister may by notice in the Federal Gazette and for the purposes of sections seven and eight prescribe in respect of goods specified in such notice the manner in which the name of the country shall be applied and in that event the provisions of subsection (1) shall not apply in relation to those goods."

6. Section 10 of the principal Act is amended in paragraph (a) of subsection (1) by the deletion of "made or produced" and by the substitution therefor of "manufactured, made, produced, assembled or mixed".
Section 12 of the principal Act is amended -

(a) in paragraph (a) by the delegation of "made or produced" and by the substitution therefor of "manufactured, made, produced, assembled or mixed";

(b) by the insertion after paragraph (d) of the following paragraph:

"(e) in the case of goods to which there is applied any number which, in the opinion of the Minister, is likely to lead to the belief that such number refers to a unit of quantity, measure, gauge, or weight, there are added words stating clearly to what such number refers."