

LEGISLATIVE COUNCIL BRIEF

Director of Intellectual Property
(Establishment) Ordinance (Cap. 412)

Director of Intellectual Property (Establishment) Ordinance
(Amendment of Schedule 1) Order 1998

INTRODUCTION

At the meeting of the Executive Council on 7 July 1998, the Council ADVISED and the Chief Executive ORDERED that the Director of Intellectual Property (Establishment) Ordinance (Amendment of Schedule 1) Order 1998 at the Annex should be made, pursuant to section 6 of the Director of Intellectual Property (Establishment) Ordinance.

BACKGROUND AND ARGUMENT

Background

2. Under section 3(1) of the Director of Intellectual Property (Establishment) Ordinance (“the Ordinance”) Cap. 412, the Chief Executive may appoint a Director of Intellectual Property and such other officers to hold any of the offices specified in Schedule 1 as may be required to assist the Director in the performance of his duties. Existing offices in Part 1 of Schedule 1 of the Ordinance include “Deputy Director of Intellectual Property”, “Assistant Director of Intellectual Property” and “Senior Solicitor”.

3. The office of “Solicitor” has recently been created to assist the Director of Intellectual Property in the performance of his duties such as advising on legal policy and legislative matters; registering trade marks, patents and designs; and providing an intellectual property related legal advisory service. To formalize the creation of the new office, Part 1 of Schedule 1 to the Ordinance has to be amended.

The Order

4. The Order seeks to amend Part 1 of Schedule 1 to the Ordinance by adding the office of “Solicitor” to the list of offices.

LEGISLATIVE TIMETABLE

5. The legislative timetable will be -

Publication in the Gazette	10 July 1998
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Tabling in the Legislative Council for negative vetting	15 July 1998
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HUMAN RIGHTS IMPLICATIONS

6. The Department of Justice advises that the Order has no human rights implications.

FINANCIAL AND STAFFING IMPLICATIONS

7. There are no financial or staffing implications arising from the Order.

ECONOMIC IMPLICATIONS

8. There are no economic implications arising from the Order.

PUBLICITY

9. A press release will be issued today while the Order will be published in the Gazette on 10 July 1998.

ENQUIRIES

10. Enquiries on this Brief may be directed to Mr Jim Kwok, Assistant Secretary for Trade and Industry, on 2918 7484.

Trade and Industry Bureau
9 July 1998
(File Reference: TIB 80/18/1)

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#5243 (Michael Lam)

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2nd draft: 3.6.98

**DIRECTOR OF INTELLECTUAL PROPERTY (ESTABLISHMENT) ORDINANCE
(AMENDMENT OF SCHEDULE 1) ORDER 1998**

(Made under section 6 of the Director of Intellectual Property
(Establishment) Ordinance (Cap. 412) after consultation
with the Executive Council)

1. Schedule 1 amended

Schedule 1 to the Director of Intellectual Property (Establishment) Ordinance (Cap. 412) is amended in Part 1 by adding -

“4. Solicitor”.

Chief Executive

1998

Explanatory Note

This Order amends Part 1 of Schedule 1 to the Director of Intellectual Property (Establishment) Ordinance (Cap. 412) by adding the office of Solicitor.