

A BILL

i n t i t u l e d

An Act to amend the Trade Descriptions Act 2011.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Trade Descriptions (Amendment) Act 2019.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 2

2. The Trade Descriptions Act 2011 [*Act 730*], which is referred to as the “principal Act” in this Act, is amended in section 2 by deleting the definition of “Registrar”.

Deletion of section 4

3. The principal Act is amended by deleting section 4.

Amendment of section 5

4. Subsection 5(2) of the principal Act is amended by substituting for the words “6 to 11” the words “6, 7 and 10”.

Amendment of section 6

5. Subsection 6(1) of the principal Act is amended by substituting for the words “Without prejudice to section 8, a” the word “A”.

Deletion of section 8

6. The principal Act is amended by deleting section 8.

Deletion of section 9

7. The principal Act is amended by deleting section 9.

Deletion of section 11

8. The principal Act is amended by deleting section 11.

Amendment of section 12

9. Section 12 of the principal Act is amended by substituting for the words “sections 6 and 8” the words “section 6”.

Deletion of section 39

10. The principal Act is amended by deleting section 39.

Savings and transitional

11. (1) Any investigation, trial or proceedings done, taken or commenced under the principal Act before the coming into operation of this Act shall, on the coming into operation of this Act, be dealt with as if the principal Act had not been amended by this Act.

(2) Any trade description order made under the principal Act before the coming into operation of this Act shall continue in force until the expiration of the trade description order.

EXPLANATORY STATEMENT

This Bill seeks to amend the Trade Descriptions Act 2011 (“Act 730”).

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
3. *Clauses 2 to 10* seek to amend sections 2, 5, 6 and 12 and to delete sections 4, 8, 9, 11 and 39 of Act 730 which are consequential amendments arising from the enactment of the proposed new Trademarks Act 2019.
4. *Clause 11* seeks to provide for savings and transitional provisions.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

[PN(U2)3041]