



Jersey

**COMMUNITY PROVISIONS (GOODS
SUSPECTED OF INFRINGING
INTELLECTUAL PROPERTY RIGHTS)
(JERSEY) REGULATIONS 2014**

Official Consolidated Version

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COMMUNITY PROVISIONS (GOODS SUSPECTED OF INFRINGEMENT INTELLECTUAL PROPERTY RIGHTS) (JERSEY) REGULATIONS 2014

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COMMUNITY PROVISIONS (GOODS SUSPECTED OF INFRINGEMENT INTELLECTUAL PROPERTY RIGHTS) (JERSEY) REGULATIONS 2014

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996, have made the following Regulations –¹

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In these Regulations, “the EU Regulation” without more and unless otherwise indicated means Regulation (EU) No. 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No. 1383/2003 (OJ L 181, 29.6.2013, p.15).
- (2) Expressions used in these Regulations which also occur in the EU Regulation shall be construed for the purposes of these Regulations as they are for the purposes of the EU Regulation.
- (3) In these Regulations, “the 1999 Law” means the [Customs and Excise \(Jersey\) Law 1999](#), and “Agent of the Impôts”, “assigned matter” and “officer of the Impôts” have the same meanings as is given to those expressions by that Law.

2 Application

- (1) Subject to paragraph (2), the EU Regulation has full force and effect in Jersey.²
- (2) For the purpose of the EU Regulation, as given effect by paragraph (1) –
 - (a) a reference to a member state or to the European Union is to be read as being a reference to Jersey;
 - (b) a reference to the customs territory of the European Union is to be read as being a reference to the corresponding territories, for the purpose of a Jersey arrangement, within the meaning of those expressions in the [EU Legislation \(Customs Union, Import and Export Control\) \(Jersey\) Regulations 2018](#); and
 - (c) a reference to any provision of an enactment of the European Union relating to customs is to be read as being a reference to any corresponding provision, for the purpose of such a Jersey arrangement, of an enactment of Jersey.³

3 Competent customs department

The Agent of the Impôts is the competent customs department in Jersey for the purposes of the EU Regulation.

4 Relationship with the 1999 Law

- (1) The implementation of the EU Regulation is an assigned matter for the purposes of the 1999 Law.
- (2) Powers to detain, suspend the release of, or destroy any goods conferred under the EU Regulation shall not derogate from any similar powers conferred on the Agent of the Impôts or officers of the Impôts by the 1999 Law or otherwise.
- (3) Article 58(2) of the 1999 Law shall have effect, for the purpose of implementation of the EU Regulation, as though –
 - (a) after the words “under this Law” in each place in which they occur there were inserted the words “or under applicable Union provisions”; and
 - (b) at the end of Article 58 there were added the following paragraph –
 - “(5) In paragraph (2), ‘applicable Union provisions’ means any of Articles 17, 18, 19, 23 or 26 of Regulation (EU) No. 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No. 1383/2003.”.
- (4) The implementation of the EU Regulation does not affect the power of any court to grant relief, including interim relief.

5 Citation

These Regulations may be cited as the Community Provisions (Goods Suspected of Infringing Intellectual Property Rights) (Jersey) Regulations 2014.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Community Provisions (Goods Suspected of Infringing Intellectual Property Rights) (Jersey) Regulations 2014	R&O.67/2014	17 June 2014
EU Legislation (United Kingdom Exit – Intellectual Property Amendments) (Jersey) Order 2019	R&O.120/2019	11 p.m. on 31 December 2020 (R&O.189/2020)

Table of Renumbered Provisions

Original	Current
5	spent, omitted
6	spent, omitted
7	5

Table of Endnote References

¹ Despite the repeal of the *European Communities Legislation (Implementation) (Jersey) Law 1996*, these Regulations are to be treated as if made under the *European Union Legislation (Implementation) (Jersey) Law 2014*. See Article 6(3) of that Law as enacted.

² Regulation 2(1) amended by R&O.120/2019

³ Regulation 2(2) substituted by R&O.120/2019