

LAWS OF BRUNEI

CHAPTER 94

EMBLEMS AND NAMES (PREVENTION OF IMPROPER USE)

20 of 1967

3 of 1974

Amended by:

S 128/80

S 163/81

LAWS OF BRUNEI

CHAPTER 94

**EMBLEMS AND NAMES
(PREVENTION OF IMPROPER USE)**

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Prohibition of improper use of emblems, names and pictorial representations.
4. Prohibition of registration of certain companies, etc.
5. Penalty.
6. Sanction for prosecution.
7. Powers to amend Schedule.

SCHEDULE

**EMBLEMS AND NAMES
(PREVENTION OF IMPROPER USE) ACT**

An Act to prevent the improper use of certain emblems and names for professional and commercial purposes

Commencement: 18th January 1968

1. This Act may be cited as the Emblems and Names (Prevention of Improper Use) Act. Short title.
2. In this Act unless the context otherwise requires — Interpretation.
- “competent authority” means any authority competent under any law for the time being in force to register any company, firm or other body of persons, or any trade mark or design, or to grant a patent;
- “specified emblem” means any emblems, seal, flag, pennant, insignia, formation sign, ensign or coat-of-arms specified in Part I of the Schedule;
- “specified name” means any name specified in Part II of the Schedule and includes any abbreviation of any such name.
3. (1) Notwithstanding anything contained in any law for the time being in force, no person shall, except with the written permission of His Majesty the Sultan and Yang Di-Pertuan — Prohibition of improper use of emblems, names and pictorial representations.
- (a) use any specified name or specified emblem, or any colourable imitation thereof, for the purpose of any trade, business, calling or profession; or
- (b) use for the purposes of, or display as an advertisement for, any business, trade, calling or profession, or sell, any photograph, drawing or other pictorial representation of His Majesty or Her Majesty the Raja Isteri; or

(c) use or continue to use any specified name or specified emblem, or any colourable imitation thereof, in the title of any patent, or in any trade mark of design; or

(d) make for the purpose of sale or sell or have in his possession for sale, any specified emblem.

(2) The provisions of paragraph (b) of subsection (1) relating to the use of any photograph, drawing or other pictorial representation aforesaid shall not apply to the publication of news (whether in a newspaper or by any other medium) or to the publication of any article in a newspaper.

(3) His Majesty may subject any permission given under subsection (1) to such conditions as he may deem fit.

Prohibition of registration of certain companies, etc.

4. Notwithstanding anything contained in any law for the time being in force, no competent authority shall —

(a) register any company, firm or other body or persons under any name; or

(b) register a trade mark or design which bears any emblem, name, photograph, drawing or other pictorial representation; or

(c) grant a patent in respect of an invention which bears a title containing any emblem or name,

if the use of such name, emblem photograph, drawing or pictorial representation would be in contravention of section 3.

Penalty.

5. Any person who contravenes the provisions of section 3 shall be guilty of an offence: Penalty, a fine of \$2,000.

Sanction for prosecution.

6. No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction in writing of the Public Prosecutor.

Powers to amend Schedule.

7. His Majesty in Council may, by notification in the *Gazette*, add to or alter the Schedule.

(SCHEDULE

(Sections 2 and 7)

Part I

Emblems

1. The standards, coats-of-arms and official seals of His Majesty the Sultan and Yang Di-Pertuan and Her Majesty the Raja Isteri.
2. The State Seal of Brunei Darussalam.
3. The Brunei Coat-of-Arms.
4. The emblem or official seal of the United Nations Organisation.
5. The Orders, Insignias, Medals, Badges and Decorations instituted by Statutes of His Majesty.
6. The Emblem or official seal of the International Criminal Police Organisation (Interpol).
7. The emblem, formation sign or ensign of the Administrative Service of Brunei Darussalam as specified in Part III

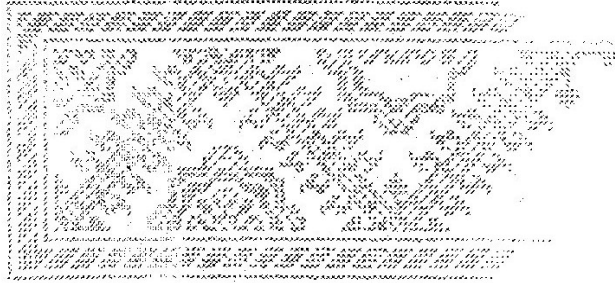
Part II

Names

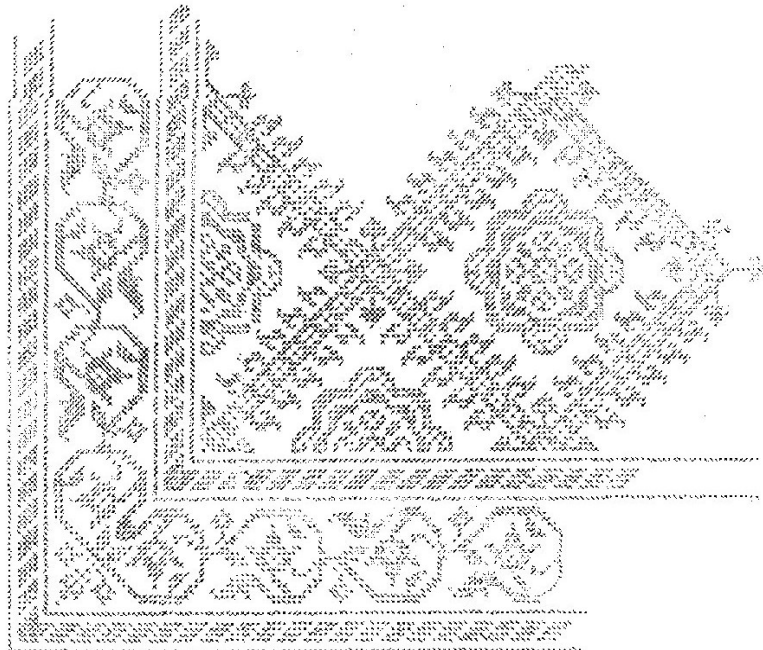
1. The name of His Majesty the Sultan and Yang Di-Pertuan.
2. The name of Her Majesty the Raja Isteri.
3. The name ICPO - Interpol or International Criminal Police Organisation (Interpol).

Part III

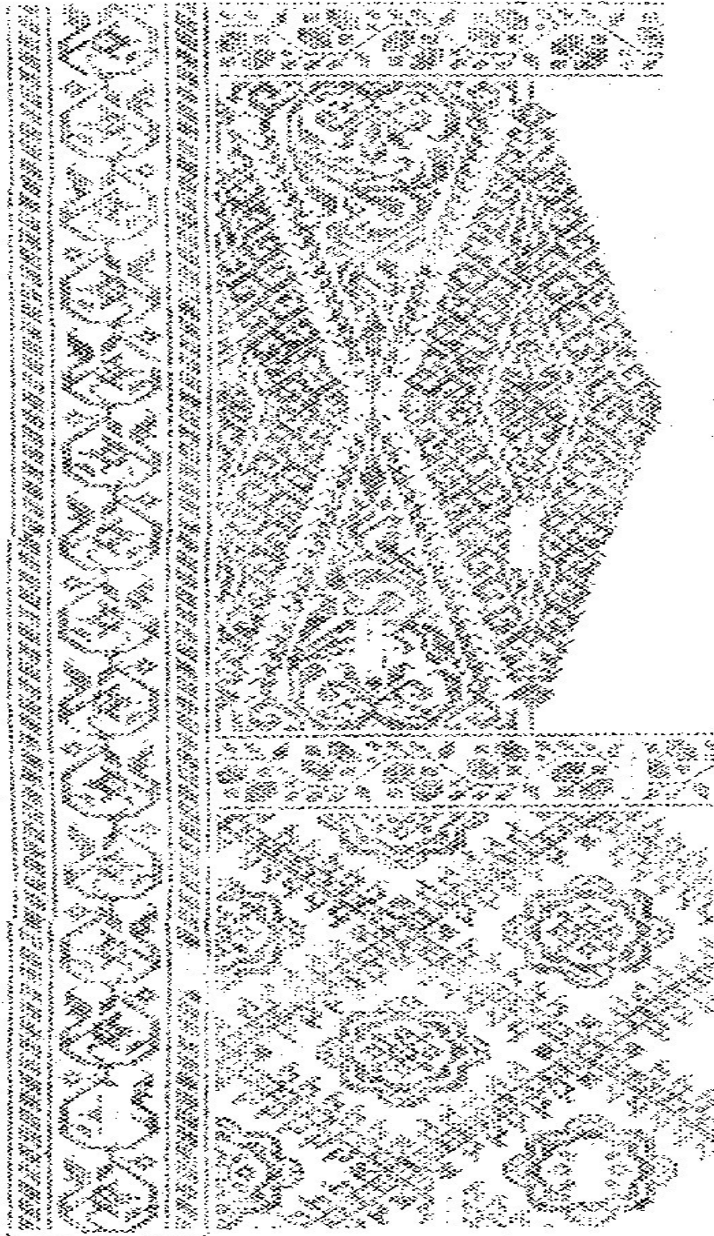
Administrative Service of Brunei Darussalam



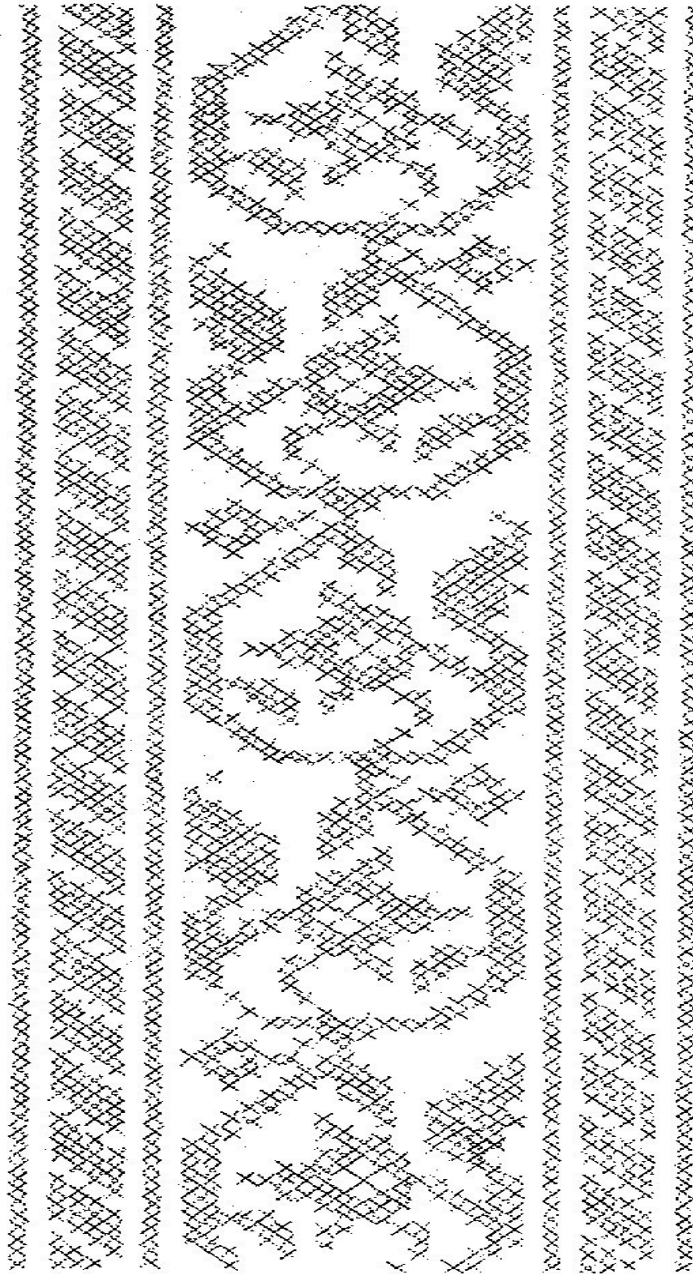
ARAT



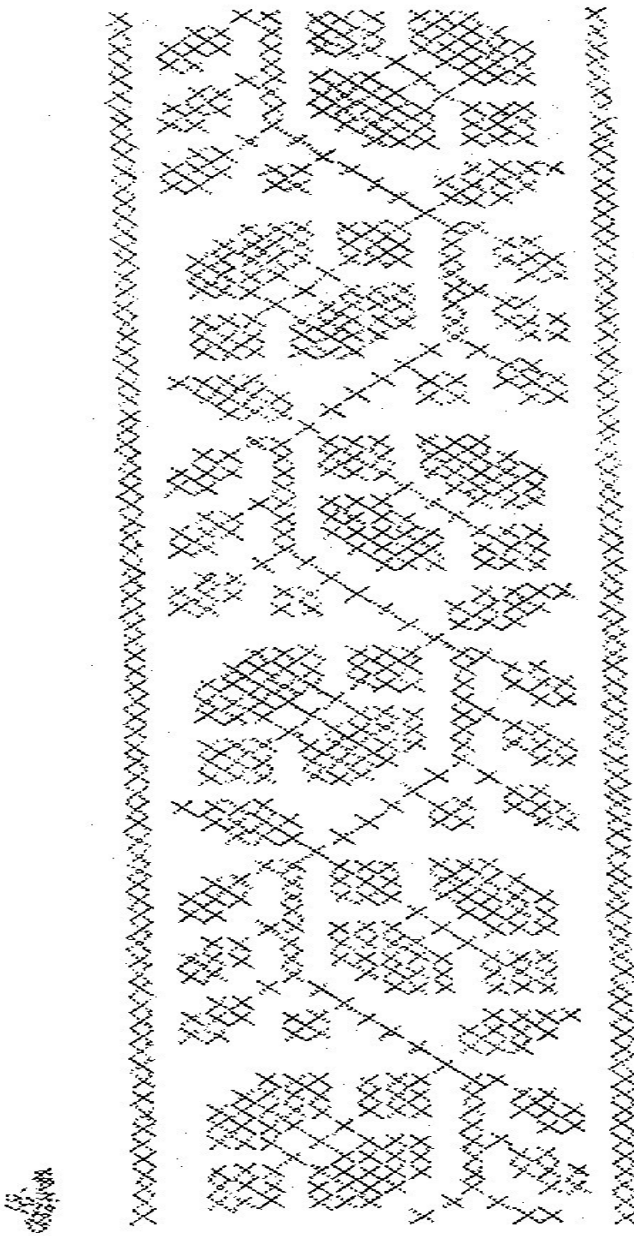
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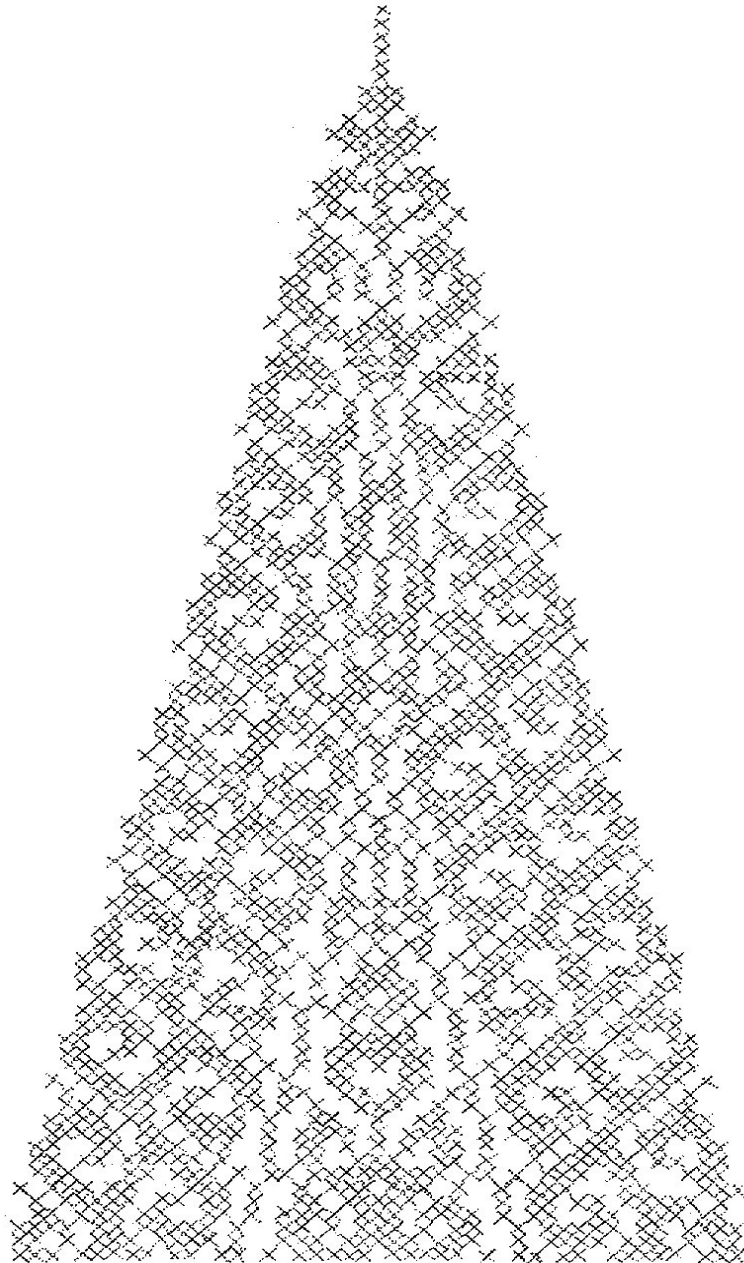
KAIN



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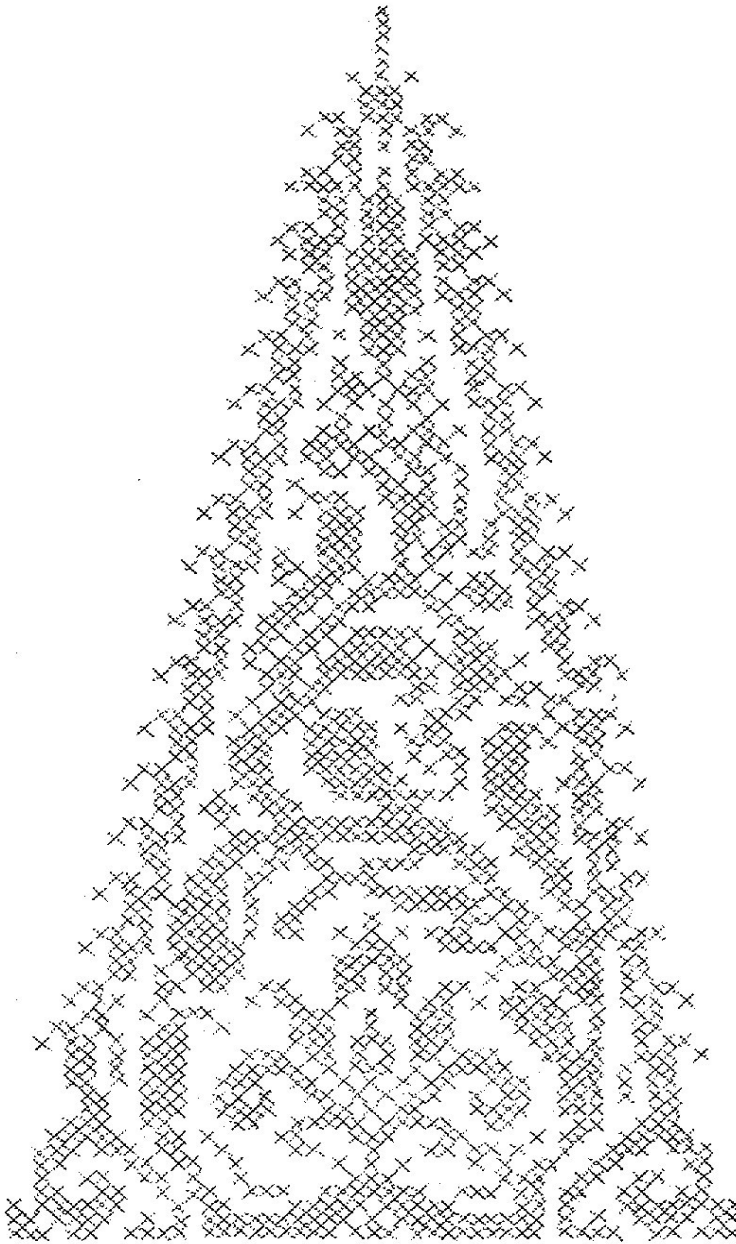


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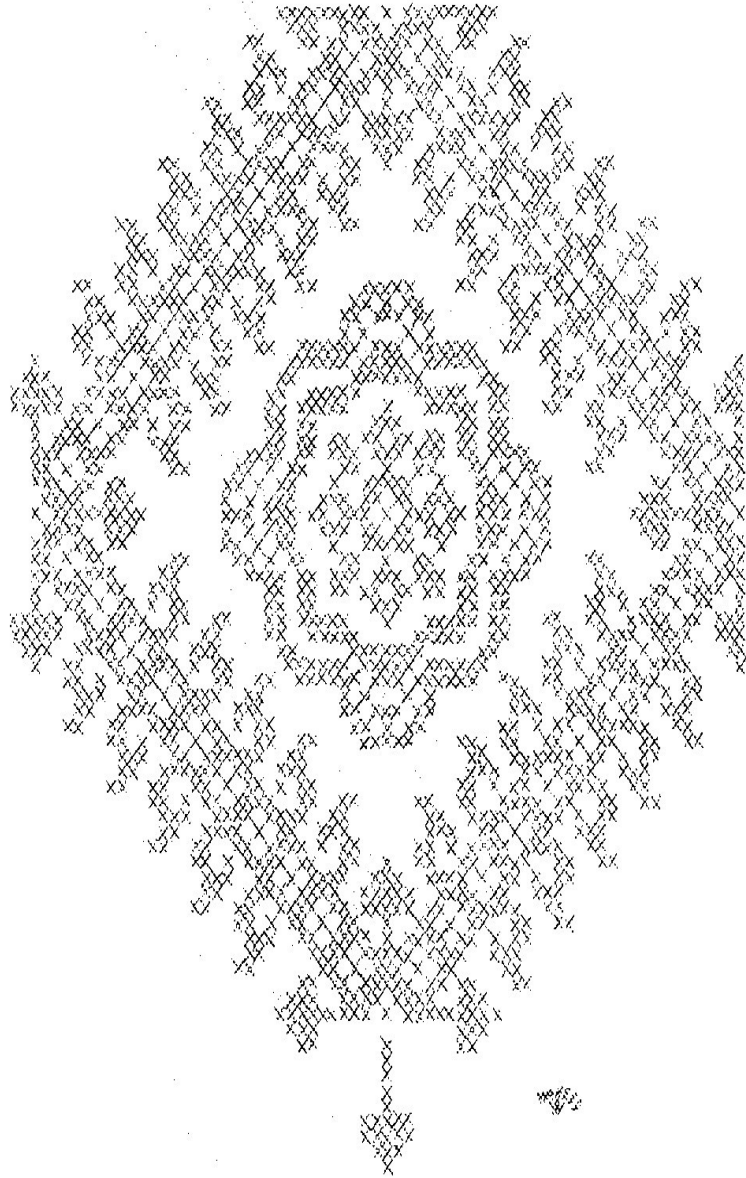
PUNCHA KAIN PATTERN NO 3.

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PUNCHA KAIN PATTERN NO 4.

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ISI KAIN PATTERN NO 5.