# CHAPTER 198

## EMBLEM AND NAME OF UNESCO (RESTRICTION OF USE) ACT

*To restrict the use of the emblem and of the name of the United Nations Educational, Scientific and Cultural Organization.*

(28th April, 1967)*

*ACT XIII of 1967 as amended by Acts LVIII of 1974 and XIII of 1983; and Legal Notice 410 of 2007.*

Short title.

**1.** The short title of this Act is the Emblem and Name of Unesco (Restriction of Use) Act.

Interpretation.

**2.** In this Act -

"abbreviated name of the Organization" means an abbreviation of the name of the Organization through the use of the initials UNESCO, whether in capital or small letters or in both, whether in Latin or other characters;

"emblem" means the emblem set out in the Schedule hereto;

"Organization" means the United Nations Educational, Scientific and Cultural Organization.

Prohibition of use of the emblem and of the name of Unesco.

**3.** It shall not be lawful for any person, without the previous authorization in writing of the Director-General of the Organization-

(*a*) in any manner and for any purpose whatsoever to use the emblem of the Organization or any imitation thereof which may be normally mistaken for the emblem; or

(*b*) to use, in any language, the name of the Organization in such a manner as to represent the publication or anything else in relation to which such name is used as having been made, produced or sponsored by the Organization; or

(*c*) to use the abbreviated name of the Organization as a trade mark or a part thereof, whether such trade mark is registered or not, or as a commercial label or for any similar commercial purpose.

Penalty for offences. *Amended by: XIII. 1983.5; L.N. 410 of 2007.*

**4.** (1) Whosoever contravenes the provisions of the last preceding section shall be guilty of an offence and shall be liable on conviction to a fine (*multa*) of not less than forty-six euro and fifty-nine cents (46.59) and not more than two hundred and thirty-two euro and ninety-four cents (232.94).

(2) On any such conviction, the court shall order the forfeiture to the Government of any infringing articles found in possession of

*See* Government Notice No. 284 of the 28th of April, 1967.

the convicted person.

(3) In any criminal proceedings under this section, the burden of the proof that the emblem, the name or the abbreviated name of the Organization was used with the previous authorization in writing of the Director-General of the Organization, shall lie on the accused person.

Offences by association of persons.

**5.** Where any offence under this Act has been committed by an association of persons, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of that association or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

Consent of Attorney General for prosecutions. *Amended by: LVIII. 1974.68.*

**6.** No proceedings for an offence under this Act shall be instituted except with the consent of the Attorney General.

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**SCHEDULE**

[Section 2]




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