CHAPTER 277

USE OF CERTAIN WORDS (REGULATION) ACT

To control and regulate the use of certain words.

(1st November, 1978)*

ACT XXII of 1978, as amended by Acts XIII of 1983 and XII of 1990; and Legal Notice 423 of 2007.

Short title.

1. The short title of this Act is the Use of Certain Words (Regulation) Act.

Prohibition of the use of the words Malta and nation in certain cases. *Amended by: XIII. 1983.5; XII. 1990.2; L.N. 423 of 2007.*

2. (1) With effect from the coming into force of this Act it shall not be lawful for any person to use or to continue to use any word or words as part of the name of a company or other partnership, or of a firm or business, or of any organization, association or other body of persons, or as part of a trade-mark or similar device, or as the name or title of any printed matter, whereby any person may be led to believe that such person, company, partnership, firm, business, organisation or association, is acting for or on behalf of the Government of Malta or that the product on which the trademark or similar device is affixed or the printed matter emanates from the Government of Malta.

(2) Where it appears to the Prime Minister that any name, trademark or similar device or title is in contravention of subarticle (1) of this article, the Prime Minister may, without prejudice to the provisions of subarticles (4), (5) and (6) of this article, order any person to change such name, trademark or similar device, or title within fifteen days from the receipt of such order.

(3) Any person aggrieved by an order issued in terms of subarticle (2) of this article shall have a right to appeal therefrom by an application to the Court of Appeal within the said period of fifteen days from the receipt of such order, and upon the filing of such application, the said court may in its discretion direct that the order appealed from shall not have effect unless and until it is confirmed by the said court.

(4) Any person who contravenes the provisions of subarticle (1) of this article or fails to comply with an order by the Prime Minister or the decision of the Court of Appeal, as the case may be, shall be guilty of an offence, and shall on conviction, be liable to a fine (*multa*) of not less than twenty-three euro and twenty-nine cents (23.29) and of not more than one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69) and in the case of a continuing offence to a further fine (*multa*) of not less than two euro and thirty-three cents (2.33) and not more than twenty-three euroeuro and twenty-nine cents (23.29) for each day during which the offence has continued.

**See* subarticle (2) of article 1 of the Act as originally enacted, which subarticle has been omitted under the Statute Law Revision Act, 1980.

(5) For the purposes of this Act, the expression "printed matter" and "publication", and their grammatical derivatives or variations, have the same meaning as is assigned to them by article 2 of the Media and Defamation Act.

Cap. 579.

(6) Proceedings under this Act may not be instituted except with the consent of the Attorney General.