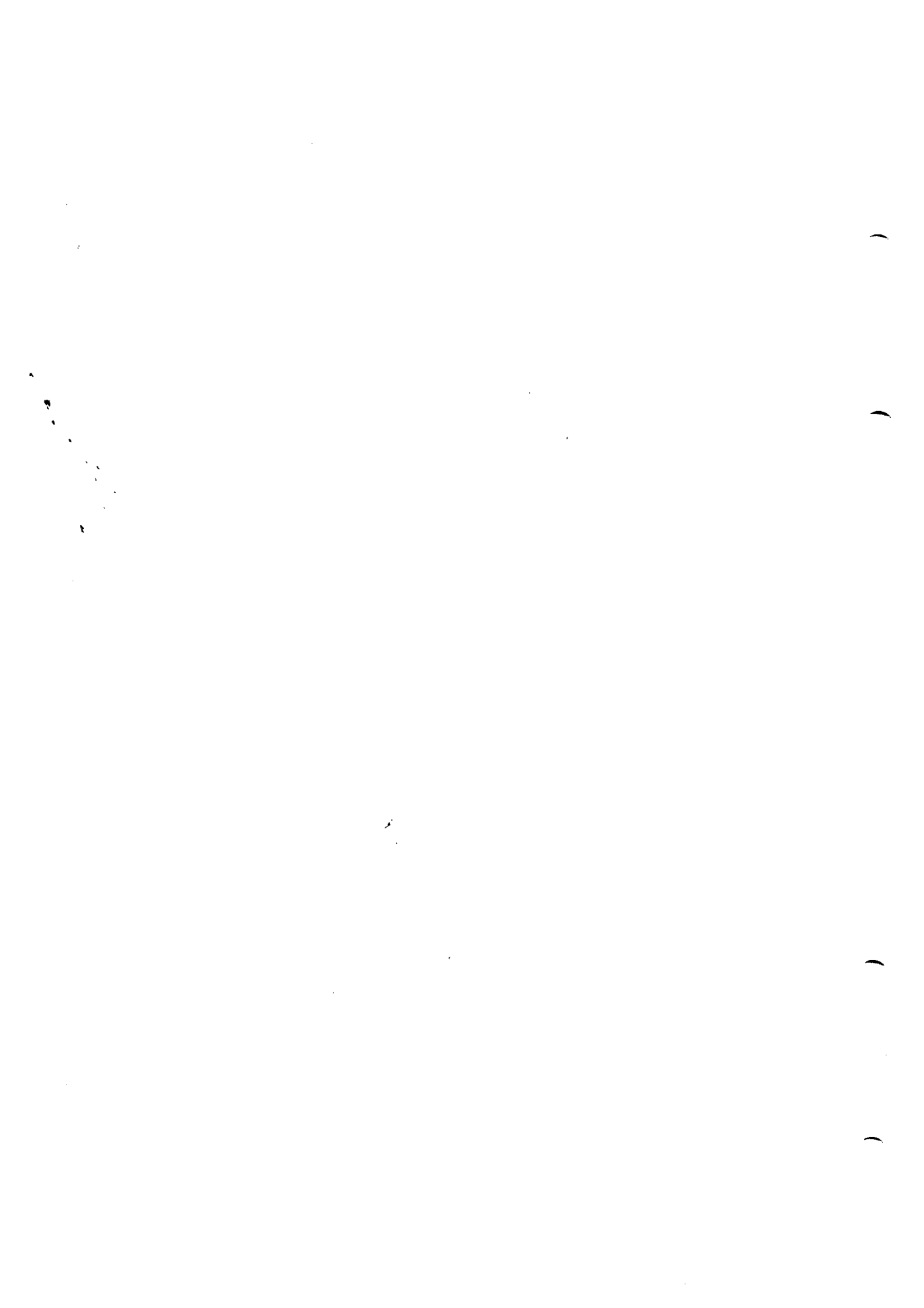


LAWS OF BRUNEI
REVISED EDITION 1984

CHAPTER 86
GENEVA AND RED CROSS
ARRANGEMENT OF SECTIONS

Section

1. Short title
 2. Prohibition of use of emblem and certain words and designs
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GENEVA AND RED CROSS ACT

An Act to control the use of the heraldic emblems of the Red Cross and the Geneva Cross

6 of 1938
(Cap. 86 of
1951)
S.99/59

Commencement: 12th December 1938

1. This Act may be cited as the Geneva and Red Cross Act. Short title

2. (1) It shall not be lawful for any person without the authority of His Majesty the Sultan and Yang Di-Pertuan to use for the purpose of his trade or business or for any other purpose whatsoever — Prohibition of use of emblem and certain words and designs

(a) the heraldic emblem of the red cross on a white ground formed by reversing the Federal colours of Switzerland, or the words “Red Cross” or “Geneva Cross”; or

(b) any design being a colourable imitation of the said emblem or any words so nearly resembling the words “Red Cross” or “Geneva Cross” as to be capable of being understood as referring to the said emblem; or

(c) any design consisting of a white or silver cross on a red ground, none of the limbs of which extends to the margin of the ground, being the cross comprised in the Arms of the Swiss Confederation; or

(d) any design being a colourable imitation of the design mentioned in the last foregoing paragraph.

(2) If any person contravenes the provisions of this section, he shall, subject as hereafter provided, be guilty of

an offence: Penalty, a fine of \$1,000 and any goods upon or in connection with which the emblem, design or words were used forfeited.

(3) Nothing in this section shall apply to a trade mark which before the 23rd day of December, 1931, was registered in the United Kingdom or lawfully used in Brunei and which consists of or contains any such design as is mentioned in paragraph (c) or paragraph (d) of subsection (1) of this section; and where a person is charged with using such a design for any purpose and it is proved that he used it otherwise than as or as part of a trade mark registered or lawfully used as aforesaid it shall be a defence for him to prove —

(a) that before the said 23rd day of December 1931 he lawfully used that design for that purpose in the United Kingdom or in Brunei; or

(b) in a case where he is charged with using the design upon goods, that the design has been applied to the goods before he acquired them by some other person who had manufactured or dealt with the goods in the course of trade, and that that other person lawfully used the design in the United Kingdom or in Brunei upon similar goods before the said 23rd day of December 1931.

(4) When an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of any director, manager, secretary or other officer of the body corporate, he as well as the body corporate shall be deemed to be guilty of an offence and shall be liable to be proceeded against and punished accordingly.

(5) Proceedings under this Act shall not be instituted without the consent of the Attorney General.