

National Emblems and National Anthem of Barbados (Regulation)

Chapter 300A

ARRANGEMENT OF SECTIONS

	<i>Section</i>
Short title	1
Interpretation	2
Copyright Vested in the Crown	3
Licence	4
Delegation.....	4A
Restrictions on the Use of National Emblems.....	5
Mutilating or Defacing National Emblems	6
Regulations.....	7
Commencement.....	8
First Schedule	
Second Schedule	

An Act to regulate the use of the National Emblems and National Anthem of Barbados.

[1969—18; 1976—5; 1976—25.; 1978—42; 1982—1].

Commencement: 1st April, 1976. [S.I. 1976 No. 75.]

Short Title

1. This Act may be cited as the *National Emblems and National Anthem of Barbados (Regulation) Act*.

Interpretation

2. For the purposes of this Act

“Coat of Arms” means the Coat of Arms of Barbados described in Part I of the First Schedule;

“licence” means a licence granted by the Minister under section 5;

“Minister” means the Minister responsible for the National Emblems;

“National Anthem” means the words and music recognised by the Government as the National Anthem of Barbados;

“National Emblems” means the Broken Trident, the Coat of Arms, the National Flag, the National Flower and any of the National colours when used together;

“National Flag” means the flag of Barbados described in Part II of the First Schedule;

“National Flower” means any flower declared by order of the Minister to be the National Flower of Barbados;

“National Prayer” means any prayer declared by order of the Minister to be the National Prayer of Barbados;

“National Song” means any song declared by order of the Minister to be the National Song of Barbados;

Copyright Vested in the Crown

3. Notwithstanding the provision of any Act to the contrary, the copyright in the words and music of the National Anthem and in the design of the National Emblems is vested in the Crown in perpetuity.

Licence

4.—(1) A person who desires

(a) to import into Barbados, manufacture for sale, offer for sale or sell any articles, goods or things that represent or on which is reproduced or represented any of the National Emblems; or

(b) to use or display any of the National Emblems in connection with a business, trade, profession or calling, or with the activities of a body of persons, whether corporate or unincorporated, shall make application to the Minister for his approval of the grant of a licence for the purpose.

(2) An application made pursuant to this section shall be in such form and contain such information as the Minister determines.

(3) Where the Minister approves the grant of a licence to an applicant pursuant to this section, the Accountant-General shall, on payment to him by the applicant of the prescribed fee, grant to the applicant a licence in the form set out in the Second Schedule.

Delegation

4A. The Minister may, by instrument in writing, delegate the power conferred on him by section 4 to any officer of the Ministry responsible for the National Emblems; but such delegation does not prevent the Minister from exercising such power.

Restrictions on the Use of National Emblems

5. Any person who

(a) not being the holder of a valid licence granted under this Act

(i) uses or displays in connection with the carrying on of any business, trade, profession or calling, or with the activity of any body of persons whether corporate or unincorporated, or

(ii) sells or offers for sale any article or thing which represents or on which is reproduced or represented, any National Emblem or any emblem so nearly resembling a National Emblem as to be calculated to deceive; or

(b) being the holder of a valid licence granted under this Act, fails to comply with, or contravenes, any of the terms or conditions subject to which the licence is granted, is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year, and in the case of a continuing offence, to a fine not exceeding one hundred dollars for each day or part thereof during which the offence continues after the day on which a conviction under this section was obtained.

Mutilating or Defacing National Emblems

6. Any person who—

(a) mutilates, cuts, tears or in any other way defaces; or

(b) without the consent of the Minister given in writing, prints or writes on, affixes a stamp to, or otherwise marks, any of the National Emblems is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year or both.

Regulations

7.—(1) The Minister may make regulations generally for the proper carrying out of the provisions of this Act, and in particular may make regulations—

(a) provided for the proper use of the National Emblems and the National Anthem on all occasions;

(b) providing for the imposition, collection and recovery of royalties payable for the use of representations of the National Emblems on articles imported into, or manufactured in, Barbados for the purpose of sale or advertisement;

(c) prescribing the fees to be paid for licences granted under this Act.

(2) Any regulations made under paragraph (b) or (c) of subsection (1) shall be subject to negative resolution.

Commencement

8. This Act shall come into operation on such date as the Governor-General may appoint by Proclamation.

First Schedule

Part I

(Section 2)

The following is the description of the Coat of Arms of Barbados—

Arms: On a bearded Fig Tree eradicated in chief two Red Pride of Barbados Flowers proper.

Crest: On a Wreath Or and Gules A dexter Cubit Arm of a Barbadian erect proper the hand grasping two Sugar Canes in saltire proper.

Supporters: On the dexter side a Dolphin and on the sinister side a Pelican proper.

Motto: “Pride and Industry”

Part II

The following is the description of the National Flag of Barbados—

The Flag is composed of three equal vertical panels—the outer panels of ultramarine and the centre panel of gold. A broken trident in black is in the centre of the flag. The British standard colour code numbers for the colours of the flag are as follows—

Ultramarine... .. BCC 148

Gold... .. BS 0/002

The flag is designed in the proportion 3 : 2.

Second Schedule

BARBADOS

(Section 4 (3))

THE NATIONAL EMBLEMS AND NATIONAL ANTHEM
OF BARBADOS (REGULATION) ACT
CAP. 300A

(Name of person or body in block letters)

LICENCE

I, Accountant General having been paid the sum of \$....., do hereby grant to (state name of person or body) this licence to (state purpose for which licence is granted).

2. This licence expires on the 31st day of December, 19.....

Dated this day of , 19.....

Accountant-General.