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COAT OF ARMS, FLAG AND NATIONAL SONG LAW

(2005 Revision)

Law 7 of 1993 consolidated with Laws 8 of 2002 and 30 of 2004.

Revised under the authority of the Law Revision Law (1999 Revision).

Originally enacted (as the Cayman Islands Coat of Arms, Flag and National Song Law, 1993) -

Law 7 of 1993-21st June, 1993

Law 8 of 2002-5th July, 2002

Law 30 of 2004-13th December, 2004.

Consolidated and revised this 12th day of July, 2005.

Note (not forming part of the Law): This revision replaces the 2004 Revision which should now be discarded.

COAT OF ARMS, FLAG AND NATIONAL SONG LAW

(2005 Revision)

ARRANGEMENT OF SECTIONS

1. Short title
2. Unauthorised use of Coat of Arms or flag an offence
3. Guidelines
4. Regulations
5. Saving

COAT OF ARMS, FLAG AND NATIONAL SONG LAW

(2005 Revision)

1. This Law may be cited as the Coat of Arms, Flag and National Song Law (2005 Revision). Short title

2. (1) Subject to the other provisions of this section, whoever, without the authority of the Governor in Cabinet, uses in connection with a trade, business, calling or profession, the Coat of Arms or flag of the Islands (or arms or a flag so closely resembling the Coat of Arms or flag of the Islands as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised to use the Coat of Arms or flag of the Islands is guilty of an offence and liable in respect of a first offence to a fine of five hundred dollars, and in respect of a second or subsequent offence to a fine of five thousand dollars. Unauthorised use of
Coat of Arms or flag an
offence

(2) Subsection (1) does not apply to the use by a proprietor of a trade mark that contains the Coat of Arms or flag of the Islands.

- (3) Subsection (1) does not apply to the use by a person of -
- (a) any advertisement, circular or publication (whether transmitted by electronic means or otherwise);
 - (b) any article of clothing; or
 - (c) any other item,

that contains the Coat of Arms or flag of the Islands, where such use is with a view to promoting or procuring the election of a candidate at an election.

(4) In this section -

“candidate” means a person who intends to seek nomination, or who has been nominated, as a candidate to contest an election; and

“election” means an election of a member or members to the Legislative Assembly.

3. (1) The Governor in Cabinet may issue guidelines setting out- Guidelines

- (a) when the Coat of Arms may be used and how authority to use it may be obtained;
- (b) how the flag of the Islands is to be flown and, in respect of persons wishing to use the flag in connection with a trade, business, calling or profession, how authority may be obtained and the circumstances in which it is likely to be granted; and

- (c) the occasions on which the National Song should or may be played and sung.

(2) In paragraph (c) of subsection (1)-

“National Song” means the song “Beloved Isle Cayman” by Leila Ross-Shier.

Regulations

4. The Governor in Cabinet may make regulations-

- (a) prescribing the fees payable in respect of the use of the Coat of Arms or flag of the Islands pursuant to authority granted under section 2;
- (b) prescribing the circumstances under which fees prescribed under paragraph (a), may be abated or waived; and
- (c) for the better carrying out of this Law.

Saving

5. (1) On and after the 12th August, 2002 every authority existing on that date shall continue in force on the same terms and conditions and with the same effect as obtained immediately before that date but the use of the Coat of Arms or flag of the Islands pursuant to any existing authority shall be subject to the payment of such fees (if any) as may be payable pursuant to regulations made under section 4.

(2) In this section -

“existing authority” means any authority granted under section 2 and in force immediately before the 12th August, 2002.

Publication in consolidated and revised form authorised by the Governor in Cabinet this 12th day of July, 2005.

Carmena Watler
Clerk of Cabinet

(Price \$ 1.60)