

**NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO
(REGULATION) ACT**

CHAPTER 19:04

Act
14 of 1967
Amended by
17 of 1980

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

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(REGULATION) ACT**

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CHAPTER 19:04

**NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO
(REGULATION) ACT**

14 of 1967. **An Act to regulate the use of the National Emblems of Trinidad and Tobago.**

Commencement. [1ST DECEMBER 1980]
197/1980.

Short title. **1.** This Act may be cited as the National Emblems of Trinidad and Tobago (Regulation) Act.

Interpretation. **2.** In this Act—

Schedule. “Coat of Arms” means the Coat of Arms of Trinidad and Tobago described in Part I of the Schedule;

“Committee” means the Trinidad and Tobago National Emblems Committee established by section 4;

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

“National Emblems” means the Coat of Arms, the National Flag and the National Flower;

Schedule. “National Flag” means the flag of Trinidad and Tobago described in Part II of the Schedule;

Schedule. “National Flower” means the flower described in Part III of the Schedule.

Copyright in the design of the National Flag and the Coat of Arms vested in the State.

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3. Notwithstanding the provisions of any law to the contrary, it is hereby declared that the copyright in the design of the National Flag and the Coat of Arms is vested in the State in perpetuity and all rights and privileges conferred on the registered proprietor of a design under the Patents and Designs Act shall be enjoyed by the State but nothing in the said Act shall render the State liable to comply with the requirements of sections 22 to 28 thereof.

4. (1) The Minister may appoint a Committee to be known as the Trinidad and Tobago National Emblems Committee (in this Act referred to as “the Committee”) consisting of a Chairman and such number of members as the Minister may from time to time appoint in writing under his hand.

Establishment of
Committee of
Standards.

(2) The Committee shall consist of a Chairman, a Deputy Chairman and such number of other members as the Minister may appoint by instrument under his hand.

(3) The terms and conditions of the appointment of a member of the Committee and the period of tenure of office shall be such as the Minister may set out in the instrument of appointment.

(4) The Committee, with the approval of the Minister, may make such Rules governing its proceedings as it may consider appropriate.

(5) The Committee shall act in an advisory capacity to the Minister on such matters as the Minister may refer to it from time to time and without limiting the generality of the foregoing may advise the Minister on all or any of the following matters:

- (a) the grant and refusal of licences;
- (b) the texture, workmanship and quality of material to be used in the manufacture of the Coat of Arms, the National Flag or any replica or facsimile thereof;
- (c) any amendments which may be necessary to this Act or the Regulations made thereunder;
- (d) the fees to be payable as royalties by persons to whom permission has been granted to sell or offer for sale articles on which are imposed representations of any of the national emblems.

5. (1) The Minister may grant to a person who makes an application in accordance with subsection (3) a licence to do any one or more of the following things:

Grant of
licences by
Minister.

- (a) to use or display the Coat of Arms in connection with business, trade, profession or calling or with the activities of any body of persons whether corporate or unincorporate;

(b) to sell or offer for sale any articles, goods or things which represent or on which is reproduced or represented the Coat of Arms.

(2) A licence granted by the Minister may contain such terms and conditions as the Minister may think fit and may at any time be revoked or varied by the Minister.

(3) An application for a licence shall be in writing and shall contain such information as the Minister may from time to time require.

Restrictions on the use, etc., of the Coat of Arms.

6. Any person who—

(a) not being the holder of a valid and subsisting 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 activities of any body of persons, whether corporate or unincorporate; or

(ii) sells or offers for sale any articles, goods or things which represent or on which is reproduced or represented, the Coat of Arms, or any arms so nearly resembling them as to be calculated to deceive; or

(b) being the holder of a valid and subsisting licence granted under this Act, fails to comply with or contravenes any of the terms and conditions subject to which the licence was granted,

is liable on summary conviction to a fine of seven hundred and fifty dollars or to imprisonment for three months, and in the case of a continuing offence to a fine of seventy-five dollars for every day or part of a day during which the offence is continued after the first day on which a conviction is obtained.

Mutilating or defacing national emblems.

7. Any person who mutilates, cuts or tears or in any way defaces the Coat of Arms or the National Flag, whether by writing, printing or stamping thereon or otherwise without lawful authority

or excuse, is liable on summary conviction to a fine of seven hundred and fifty dollars or to imprisonment for six months.

8. The President may make Regulations generally for the proper carrying out of the provisions of this Act, and without limiting the generality of the foregoing may make Regulations—

- (a) providing for the proper use of the National Flag on all occasions;
- (b) providing for the imposition of royalties payable for the use of representations of the Coat of Arms or the National Flag on articles manufactured for sale or advertisement;
- (c) providing for the growth of the National Flower in national parks and nurseries and for the distribution of information relating to the growth, cultivation and significance of the National Flower;
- (d) providing for display of the National Flower at official banquets and functions given or held by the Government of Trinidad and Tobago or by a local authority.

***9.** All acts or things done before 24th April 1980 by the Committee established by section 4 in purported exercise of any of its functions, duties or powers under this Act shall be deemed to have been lawfully and validly done.

*This validation provision was enacted as section 3 of the National Emblems of Trinidad and Tobago (Regulation) (Amendment) Act 1980, No. 17 of 1980, which came into operation on 24th April 1980.

Section 2.

SCHEDULE**PART I**

The following is the description of the Coat of Arms of Trinidad and Tobago:

Arms: Per chevron enhanced sable and gules a chevrenel enhanced argent between a chief two Hummingbirds respectant gold and in base three ships of the period of Christopher Columbus also gold the sails set proper.

Crest: Upon a Wreath argent and gules in front of a Palm Tree proper a Ship's wheel gold.

Supporters: Upon a Compartment representing two Islands arising from the sea, on the dexter side a Scarlet Ibis and on the sinister side a Cocrico, both proper and with wings elevated and addorsed.

Motto: Together we aspire: together we achieve.

PART II

The following is the description of the National Flag of Trinidad and Tobago:

On a Red Field, a Bend Dexter Sable bordered Silver, that is to say, there is on the Red Field a diagonal from left to right in Black bordered with White. The width of the Black and White bands joined side by side at the upper dexter corner of the Flag is one-fifth of the full length of the Flag, and the width of each White band is one-sixth of the width of the White and Black bands together.

PART III

The following is the National Flower of Trinidad and Tobago:

The *Chaconia* (*Warszewiczia Coccinea* (Vahl) Kl.) also known as "the Wild Poinsettia" or "Pride of Trinidad and Tobago".
