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National Insignia and Emblems Act, 1968

Act 22 of 1968

Legislation as at 1 December 1998

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National Insignia and Emblems Act, 1968
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National Insignia and Emblems Act, 1968

Act 22 of 1968

Assented to on 20 August 1968

Commenced on 23 August 1968

[This is the version of this document at 1 December 1998.]

An Act to control the Importation, Manufacture, Distribution, Display, Possession of, or dealing in, National Insignia and other Emblems or Portrayals of His Majesty, the Ndlovukati, the Swaziland Flag, the Royal Standard or the Swaziland Coat of Arms and to provide for incidentals or connected matters.

1. Short title

This Act may be cited as the National Insignia and Emblems Act, 1968.

2. Interpretation

In this Act—

"**insignia or other emblem**" means a weaving, embroidery, sewing, crochet, drawing, picture, illustration, painting, film negative, photograph, print, engraving or lithograph, woodcut, cast figure, carving, statue, plaque, model or other similar representation or thing which depicts or which purports to depict—

- (a) His Majesty, or
- (b) the Ndlovukati, or
- (c) the Swaziland Flag or Royal Standard, or
- (d) the Swaziland Coat of Arms;

"**Minister**" means the Deputy Prime Minister;

"**Royal Standard**" means the Standard of His Majesty approved by His Majesty by notice in the *Gazette*;

"**Swaziland Coat of Arms**" means the Swaziland Coat of Arms prescribed by Act of Parliament;

"**Swaziland Flag**" means the Swaziland Flag prescribed by Act of Parliament.

3. Non-application

This Act does not apply to—

- (a) matter forming part of a book or a newspaper registered under the Books and Newspapers Act, [No. 20 of 1963](#); or
- (b) the use, by an employee of the Government, of any insignia or other emblem in connexion with his official duties or authorized by or under any law.

4. Control of insignia or other emblems

(1) Except with—

- (a) the general or specific permission of the Minister granted by notice published in the *Gazette*;
or

(b) the written permission of a public officer deputed by the Minister,
no person shall manufacture, make or produce any insignia or other emblem or object containing or bearing an insignia or other emblem.

(2) No person shall—

- (a) import or export; or
 - (b) distribute, display or exhibit in public, sell or expose, offer or keep for sale or otherwise deal in; or
 - (c) reproduce, print or publish;
- any insignia or other emblem manufactured, made or produced in contravention of subsection (1).

5. Search and seizure

- (1) A police officer or an officer of customs, who reasonably suspects that an offence has been committed in terms of this Act, may—
- (a) enter and search premises and vehicles and seize and detain any insignia or other emblem found there; and
 - (b) seize and detain any insignia or other emblem wherever found;
- for so long as may be necessary for the purposes of any examination, investigation, trial or inquiry.
- (2) If such officer reasonably believes that the delay in obtaining a search warrant will defeat the objects of the search, he may conduct the search without a warrant.

6. Use of the Royal Standard, etc., on vehicles and other places

- (1) No person other than the Prime Minister shall display or use a flag or pennant, containing any insignia or other emblem, on a vehicle without the written permission of the Minister.
- (2) No person other than His Majesty, the Ndlovukati or a person who has the written authority of His Majesty signified under his signet shall use or display the Royal Standard on any building, vehicle, place, book, document or material.
- (3) This section shall not apply to a building belonging to His Majesty or the Ndlovukati, actually occupied by His Majesty or the Ndlovukati, nor to a motor vehicle in which His Majesty or the Ndlovukati is being or is about to be conveyed.

7. Regulations

The Minister may, by notice published in the *Gazette*, make such regulations as in his opinion are necessary to implement the objects of this Act.

8. Offences

- (1) A person who contravenes section 4 or 6 shall be guilty of an offence and liable, on conviction, to a fine not exceeding two hundred emalangeni or, in default of payment, imprisonment for a period not exceeding six months.
- (2) A court convicting a person of such offence may order the destruction of any insignia or other emblem in respect of which the offence was committed.