

CHAPTER 10
THE NATIONAL EMBLEMS ACT
[PRINCIPAL LEGISLATION]
ARRANGEMENT OF SECTIONS

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CHAPTER 10

THE NATIONAL EMBLEMS ACT

An Act to prescribe the National Flag, the Coat of Arms, the Public Seal and to control and regulate their use.

[9th December, 1962]¹

[7th May, 1971]

R.L. Cap. 504
Act No.
15 of 1971

PART I

PRELIMINARY PROVISIONS

- Short title 1. This Act may be cited as the National Emblems Act.
- Interpretation 2. In this Act unless the context otherwise requires-
- “Coat of Arms” means the Coat of Arms of the United Republic of the likeness specified in the Second Schedule to this Act and includes any emblem, seal, insignia or ensign of the United Republic;
- “likeness” includes a photographic or pictorial reproduction, a sketch, a painting or any other form of reproduction or representation and of any size or shape;
- “Minister” means the Minister responsible for home affairs;
- “National Flag” means a flag of the description as specified in the First Schedule to this Act; and
- “Public Seal” means a seal of the description as specified in the Third Schedule to this Act.

1 NOTE: This Act is a Consolidation of the National Flag and Coat of Arms Act No. 15 of 1971 and the Public Seal Act (R.L. Cap. 504), Parts I and II relate to the National Flag and Coat of Arms and came into force on the 7th May, 1971, Part III relates to the Public Seal and came into force on the 9th December, 1962.

PART II

THE NATIONAL FLAG AND THE COAT OF ARMS

- National Flag **3.** With effect from the 26th April 1964, the National Flag of the United Republic shall be of the description as specified in the First Schedule.
- Coat of Arms **4.** With effect from the 26th April 1964, the Coat of Arms of the United Republic shall be of the description as specified in the Second Schedule.
- Power of President to modify National Flag or Coat of Arms **5.** The President may, by Proclamation, amend the First or the Second Schedule to this Act to modify the National Flag or, the Coat of Arms.
- Unlawful use of National Flag, Coat of Arms or any likeness thereof **6.**—(1) A person shall not use the National Flag, the Coat of Arms or any likeness of the National Flag or of the Coat of Arms—
 (a) as a trade mark for any article sold or offered for sale;
 (b) in furtherance of or as an advertisement for any trade, business, industry, calling or profession;
 (c) on any article which is sold, offered for sale or intended to be sold or offered for sale; or
 (d) on any article which is used by any person otherwise than for a purpose approved by the Minister.
 (2) The Minister may, by writing under his hand, exempt any person or class of persons or any article or category of articles from any or all of the provisions of subsection (1), subject to such terms and conditions as the Minister may think fit to impose.
 (3) A person who contravenes the provisions of subsection (1) or, being a person to whom the provisions of subsection (2) apply, contravenes any of the terms or conditions imposed by the Minister, commits an offence and on conviction shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both.

Insulting
National Flag or
Coat of Arms

7. A person who does any act or utters any word or publishes any writing with intent to insult or bring into contempt or ridicule the National Flag or Coat of Arms of the United Republic of Tanzania or of any likeness thereof, commits an offence and on conviction shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both.

Consent to
prosecute

8. A person shall not be prosecuted for an offence under this Act without the consent in writing of the Director of Public Prosecutions.

Repeal
Cap. 16

9. [Repeals the Penal Code s. 124A]

PART III THE PUBLIC SEAL

9th December, 1962

Proclamation of
Public Seal

10.-(1) With effect from the 26th April, 1964 the Public Seal shall be of the description as specified in the Third Schedule to this Act.

(2) The President may, by Proclamation, prescribe any other form of the Public Seal.

Custody of Public
Seal

11.-(1) The President may appoint a person holding office in the service of the United Republic to be the Custodian of the Public Seal and may give directions as to the manner in which it shall be kept and used.

(2) In default of any appointment under subsection (1), the President shall be the Custodian of the Public Seal.

Authentication

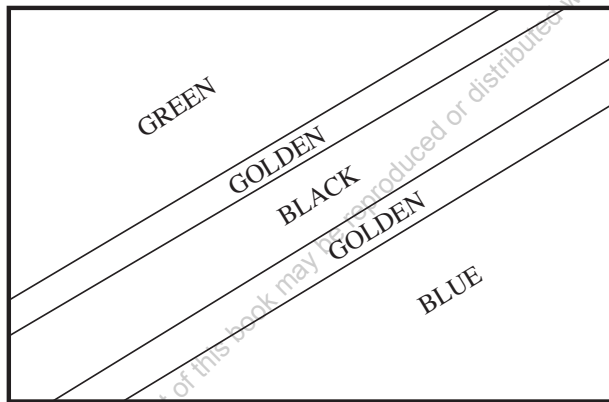
12. Whenever the Public Seal is affixed to any document or other thing, the affixing of the Public Seal shall be authenticated by the signature of the Custodian of the Public Seal.

FIRST SCHEDULE

(Made under section 3)

DESIGN OF NATIONAL FLAG

A rectangular flag divided into two equal portions diagonally from the right-hand upper corner to the left-hand lower corner; the upper portion of green colour and the lower portion of blue colour; the dividing bands being of golden, black and golden collars; the two golden bands of equal size and smaller than the central black band; of the following design:



SECOND SCHEDULE

(Made under section 4)

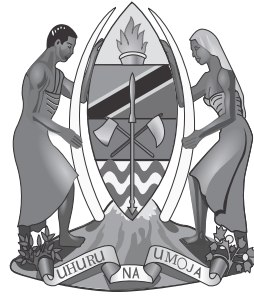
DESIGN OF COAT OF ARMS



THIRD SCHEDULE

(Made under section 10)

DESIGN OF PUBLIC SEAL



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