



Flags, Emblems, and Names Protection Amendment Act 2013

Public Act 2013 No 117
Date of assent 4 December 2013
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Flags, Emblems, and Names Protection Amendment Act 2013.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Flags, Emblems, and Names Protection Act 1981 (the **principal Act**).

4 New section 18A inserted (Unauthorised use of words and emblems relating to 28th Māori Battalion)

After section 18, insert:

“18A Unauthorised use of words and emblems relating to 28th Māori Battalion

- “(1) Subject to subsection (3), every person commits an offence against this Act who, in any business, trade, or occupation and in order to obtain money (or other property) or credit, displays, exhibits, or otherwise uses any of the following in such a manner as to be likely to cause anyone to believe that the display, exhibition, or use is under the authority, sanction, approval, appointment, or patronage of an association described in subsection (3)(b)(i) or (iii):
- “(a) an emblem in Schedule 2A; or
 - “(b) an emblem that so closely resembles one of the emblems in Schedule 2A as to be likely to deceive or confuse any person; or
 - “(c) any of the following combinations of words:
 - “(i) ‘28th Māori Battalion’:
 - “(ii) ‘28 Māori Battalion’:
 - “(iii) ‘Māori Battalion’:
 - “(iv) ‘28th Māori Battalion Association’:
 - “(v) ‘28th Maori Battalion (NZ) Association Incorporated’:
 - “(vi) ‘Te Ope Hōia Māori 28’:
 - “(vii) ‘Te Ope Taua Māori 28’:
 - “(viii) ‘Te Hokowhitu Māori 28’; or
 - “(d) words that so closely resemble the combinations of words quoted in paragraph (c) as to be likely to deceive or confuse any person.
- “(2) Subject to subsection (3),—

- “(a) every person commits an offence against this Act who causes an incorporated or unincorporated body to be formed under any name, title, style, or designation that includes any of the combinations of words referred to in subsection (1)(c) or (d); and
 - “(b) every association (whether incorporated or unincorporated) commits an offence against this Act that carries on its activities under any name, title, style, or designation that includes any of the combinations of words referred to in subsection (1)(c) or (d).
- “(3) Subsections (1) and (2) do not apply to the use of any emblem, words, name, title, style, or designation—
- “(a) that has been authorised by the Governor-General by Order in Council; or
 - “(b) by any of the following:
 - “(i) the 28th Maori Battalion (NZ) Association Incorporated; or
 - “(ii) a person or class of persons or an association that has been approved in writing for the purposes of this section by the 28th Maori Battalion (NZ) Association Incorporated; or
 - “(iii) any association that has been approved in writing for the purposes of this section by the 28th Maori Battalion (NZ) Association Incorporated as the successor of the 28th Maori Battalion (NZ) Association Incorporated; or
 - “(iv) a person or class of persons or an association that has been approved in writing for the purposes of this section by the successor of the 28th Maori Battalion (NZ) Association Incorporated referred to in subparagraph (iii).”

5 New Schedule 2A inserted

After Schedule 2, insert Schedule 2A set out in the Schedule of this Act.

Schedule s 5
**New Schedule 2A inserted in Flags,
Emblems, and Names Protection Act 1981**

Schedule 2A s 18A
**Emblems of 28th Maori Battalion (NZ)
Association Incorporated**



Legislative history

19 November 2013	Divided from Statutes Amendment Bill (Bill 89–2) by committee of the whole House, third reading
4 December 2013	Royal assent

This Act is administered by the Ministry for Culture and Heritage and the Ministry of Justice.
