



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Heraldry Act 18 of 1962**  
section 25

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**Regulations, Part I**

RSA Government Notice R.828 of 1963

[\(RSA GG 521, reprinted in OG 2491\)](#)

came into force on date of publication: 7 June 1963

These regulations are entitled “Regulations, Part I” in the *Government Gazette*, but “Regulations, Part II” in RSA GN R. 829/1963 in the same *Government Gazette* were issued under the *Protection of Names, Uniforms and Badges Act 23 of 1935 (SA)* ([SA GG 2263](#)) in the form of amendments to the regulations in RSA GN R.856/1961 ([RSA GG 100](#)). The *Protection of Names, Uniforms and Badges Act 23 of 1935 (SA)* was repealed by the *Heraldry Amendment Act 54 of 1969 (RSA)* ([RSA GG 2401](#)). The repealing provision contains no savings clause for regulations. “Regulations, Part II” concerned the transition of certain registrations under the *Protection of Names, Uniforms and Badges Act 23 of 1935 (SA)* to registrations under the *Heraldry Act 18 of 1962*.

**as amended by**

**RSA Government Notice R.1884 of 1967** ([RSA GG 1903, reprinted in OG 2843](#))

came into force on date of publication: 1 December 1967

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**ARRANGEMENT OF REGULATIONS**

1. Bureau of Heraldry
2. Heraldry Council
3. Approval of Designs of Coats of Arms, Badges or other Emblems and of Amendments thereof
4. Registration of Coats of Arms, Badges and other Emblems and the Registers Kept and the Certificates Issued
5. Notice and Manner of Notification
6. Tariff of Fees
7. Appeals

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**Heraldry Act 8 of 1962**  
**Regulations, Part I**

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## 8. Definitions

**ANNEXURE A: Certificate of Registration - Coat of Arms or Badge**

**ANNEXURE B: Certificate of Registration - Coat of Arms, Badge or Other Emblem**

**ANNEXURE C: Form of Application for Registration**

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**ANNEXURE E: Form of Appeal to Administrator of the Territory of South West Africa**

**ANNEXURE F: Form of Objection**

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### **Bureau of Heraldry**

#### *Functions*

1. The functions of the bureau of heraldry shall be as set out in subsections (1) and (2) of section *three* of the Heraldry Act, 1962 (Act No. 18 of 1962), and in connection therewith the bureau shall carry out such research work of a heraldic, genealogical or historical nature as may be necessary to establish the true facts concerning any coat of arms, badge or other emblem.

### **Heraldry Council**

#### *Constitution*

2. (1) (a) The Minister shall designate a member as chairman of the council.
- (b) The state herald shall *ex officio* be the vice-chairman and he shall place the services of a secretary at the disposal of the council.
- (2) (a) Members shall be appointed for a period not exceeding five years, but may be re-eligible thereafter.
- (b) The Minister may at any time cancel the appointment of any member of the council.
- (c) A member may resign from the council by letter addressed to the state herald for submission to the Minister, and the state herald shall inform the council of such resignation at its first meeting thereafter.
- (d) A member shall be deemed to have so resigned, if he should be absent from three consecutive meetings of the council without having obtained permission from the council for such absence.
- (e) If the council should refuse to grant leave of absence as applied for by any member, the latter may have recourse to the Minister, whose decision shall be final.
- (f) The Minister may appoint a member to fill a vacancy for the unexpired period of any original appointment.

#### *Functions*

(3) The functions of the council shall be as set out in subsection (2) of section *six* of the Act.

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*Allowances*

(4) The allowances, including travelling and subsistence allowances, payable to members of the council who are not in full-time employment of the State, shall be as laid down from time to time by the Minister, in consultation with the Minister of Finance.

*Meetings of the Council*

- (5) (a) The council shall be convened during each quarter of the year, on a date to be fixed by the state herald in consultation with the chairman.
- (b) Notices of the meetings and the agenda thereof shall be sent out as early as possible but must reach the members not less than two weeks before any such meeting takes place.
- (c) Three members shall constitute a quorum for any meeting.
- (d) Discussions at a meeting of the council shall be confidential, and all resolutions shall be proposed and seconded.
- (e) Resolutions of the council shall be by a majority vote and in case of an equal vote, the chairman shall have a casting vote in addition to his deliberative vote.
- (f) Copies of the minutes passed at any meeting of the council shall be forwarded within fourteen days after such meeting -
- (i) to the Minister or, in the case of the territory of South West Africa, to the Secretary, Department of the Prime Minister, for transmission to the Administrator for his information;
- (ii) to the members of the council for such corrections or comments as they might wish to make: Provided that, if no replies should be received from them within two weeks, they shall be deemed to have consented to the minutes as received by them.

**Approval of Designs of Coats of Arms, Badges or other Emblems and of Amendments thereof**

3. (1) Applications for the approval of designs of coats of arms, badges or other emblems and of amendments thereof must reach the state herald at least six weeks before the meeting of the council.

(2) The state herald shall send to members of the council, at least fourteen days before any meeting of the council, copies of all such applications as have been received by him together with his comments thereon.

(3) All applications which cannot be disposed of at such a meeting shall stand over until the next meeting.

**Registration of Coats of Arms, Badges and other Emblems and the Registers Kept and the Certificates Issued**

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4. (1) All applications for the registration of coats of arms, badges or other emblems shall be addressed to the state herald in the prescribed form (Annexure C).

(2) The documents to be lodged by an applicant in connection with any registration shall include the original application form, as specified in Annexure C, the original design of the coat of arms, badge or other emblem, and a certified statement from the registrar of Patents, Designs, Trade Marks and Copyright, to the effect that no such design or any material part thereof is or remains registered in his office.

(3) The registers to be kept in terms of section *five* of the Act shall be of the form and type approved by the state herald.

(4) In the registers shall be entered besides the name and address and nationality of the registering party, an heraldic description of the coat of arms, badge or other emblem, and this heraldic description shall be accompanied by a clear drawing in colour on a separate page.

[The word “besides” should be “beside”.]

(5) Any addition or amendment at a later stage shall be carefully described and illustrated and linked up with the original registration.

(6) There shall be the following main groups or series of registers: -

(a) (i) The coat of arms of the Republic of South Africa, both the ordinary and the embellished coat of arms, and the national flag of the Republic - in the official languages;

(ii) the coats of arms and flags, if any, of the four provinces and the territory of South West Africa, as well as any territory that may be constituted by any law of the Republic - in the official languages.

(b) All other official coats of arms and badges - in the official languages.

(c) Municipal coats of arms - in the official languages.

(d) Coats of arms and badges of associations and institutions and persons - in the official language desired.

(e) Historical and other family coats of arms - in the official language desired.

(f) Flags, other than those mentioned under (a), and other emblems - in the official language desired.

(g) Varia, in the official language desired.

(7) The certificates of registration issued by the bureau shall be of two kinds as specified in Annexures A and B -

(a) a certificate of registration issued to any official or municipal authority, or to an association, institution or person; and

(b) a certificate of registration issued to a private individual.

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### Notice and Manner of Notification

5. (1) The State President may grant or amend any official coat of arms, badge or other emblem, and particulars of such grant or amendment shall be published in the *Government Gazette*.

(2) The Administrator of any province or of the territory of South West Africa may, on application in the prescribed manner and subject to the provisions of any law bearing on the matter, grant or amend or approve of the adoption or amendment of any municipal coat of arms, badge or other emblem, and particulars thereof may be published by the municipal authority concerned, with the prior approval of the Administrator, in the *Official Gazette* of the province in question or of the territory, as the case may be.

(3) With regard to an application for the registration of any historical or other family coat of arms, such registration shall be subject to the approval of the council, and a notice of the registration shall be published in the *Government Gazette*.

(4) (a) When an application from any association or institution or person is lodged with the bureau for the registration of any coat of arms, badge or other emblem, the bureau shall publish details of the application by Government Notice in the *Government Gazette*.

(b) If during a period of three months after such publication no formal protest is lodged by any interested party against the proposed registration, and provided the council has attached its prior approval to the design to be registered, the bureau shall publish a further Government Notice to the effect that the registration in question has been effected.

(c) If any formal objection in the form specified in Annexure F should be lodged against the proposed registration, the bureau shall submit such protest to the council for disposal. An appeal shall be made to the Minister or to the Administrator of the territory, as the case may be, against any decision of the council.

(5) Any Government Notice, referred to in subsections (1) to (4), which publishes details of the description of any coat of arms, badge or other emblem, may include hatchings thereof for greater clarity.

(6) The state herald shall, on final approval of a coat of arms, badge or other emblem, send to the Registrar of Trade Marks and Designs [appointed in terms of subsection (1) of section five of the Designs, Trade Marks and Copyright Act, 1916 (Act No. 9 of 1916)] a clear copy of such coat of arms, badge or other emblem in the colours approved, as indicated by hatchings, in a size not larger than 4 inches by 6 inches on ordinary paper, and the Registrar of Trade Marks and Designs shall then record such coat of arms, badge or other emblem for all classes of goods.

[The text in square brackets appears in the *Government Gazette* in this manner. The Designs and Copyright Act 9 of 1916 (SA) was repealed by the Copyright Act 63 of 1965 (RSA), which was repealed in turn by the Copyright and Neighbouring Rights Protection Act 6 of 1994.]

### Tariff of Fees

6. The following fees shall be payable to the bureau for the various items mentioned:-

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	R
(a) (i) Registration of the grant of a badge to any official or municipal authority or to an association, institution or person .....	115.00
(ii) registration of any amendment of any such badge .....	115.00
(iii) supplying an additional or substituting certificate of a registered badge .....	25.00
(b) (i) Registration of the grant of a coat of arms to any official or municipal authority, or to an association, institution or person, complete with crest, supporters and special compartment .....	175.00
(ii) registration of an amendment of a grant under 6(b)(i) .....	175.00
(iii) registration of a grant as under 6(b)(i) without a special compartment .....	164.00
(iv) registration of an amendment of a grant under 6(b)(iii) .....	164.00
(v) registration of a grant as under 6(b)(i) without supporters .....	161.00
(vi) registration of an amendment of a grant as under 6(b)(v) .....	161.00
(vii) registration of a grant as under 6(b)(v) without crest .....	143.00
(viii) registration of an amendment of a grant as under 6(b)(vii) .....	143.00
(c) (i) Registration of the grant of a family coat of arms to an individual, including his spouse and his lawful issue, to wit any son or daughter or legally adopted child bearing the family name .....	As in 6(b)(i) - (viii)
(ii) registration of any amendment of the arms mentioned under sub-section (i) .....	As in 6(b)(i) - (viii)
(iii) registration of such family arms for each succeeding generation by the lawful successor in the male line:	
(aa) by entry in the register .....	10.00
(bb) where a new certificate of registration is required:	
as under 6(b)(i) .....	55.00
as under 6(b)(iii) .....	50.00
as under 6(b)(v) .....	48.00
as under 6(b)(vii) .....	40.00
(d) (i) Registration of an historical family coat of arms in favour of a direct descendant in the male line, who can establish his claims thereto, for himself, his spouse and lawful issue, viz. any son or daughter or legally adopted child bearing his name, and any such other son or daughter or legally adopted child of his father as bears his name .....	As in 6(b)(i) - (viii)
(ii) registration of such historical family coat of arms, as referred to under sub-section (i), in favour of any other direct descendant, who likewise can establish his claims thereto, for himself, his spouse and lawful issue, viz. any son or daughter or legally adopted child bearing his name and any such other son or daughter or legally adopted child of his father as bears his name .....	As in 6(b)(i) - (viii)
(iii) registration of an amendment of the historical family arms as registered .....	As in 6(b)(i) - (viii)
(iv) registration by a lawful successor in the male line for each new generation:	
(aa) entry in register .....	10.00
(bb) where a new certificate of registration is required .....	As in 6(c)(iii) (bb)
(e) Recognition and registration of any coat of arms originally registered elsewhere .....	As in 6(b)(i) - (viii)

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(f) (i)	Registration of a grant of arms to a woman in a separate patent .....	As in 6(b)(i) - (viii)
(ii)	registration of a grant of arms to a woman by way of impalement or inescutcheon of pretence within the coat of arms of her husband .....	As in 6(b)(i) - (viii)
(iii)	registration of an amendment of the arms mentioned under (i) .....	As in 6(b)(i) - (viii)
(iv)	registration of an amendment of the arms mentioned under (ii) .....	As in 6(b)(i) - (viii)
(g)	Registration of arms where the name of the bearer has been changed by Government licence:	10.00
(i)	entry in register .....	10.00
(ii)	where a new certificate of registration is required .....	As in 6(c)(iii) (bb)
(h) (i)	Registration of any flag, pennant, banner, decoration, medal, seal, insignia of any office or order, or other heraldic or kindred symbolic representation .....	115.00
(ii)	registration of an amendment of any item under (i) .....	115.00
(i) (i)	Appeal to the heraldry council against any ruling of the state herald .....	25.00
(ii)	appeal to the Minister, or, in the case of the Territory, to the Administrator, against any decision of the heraldry council .....	50.00
(j) (i)	Access by a member of the public to any specific public record in the bureau ...	50.00
(ii)	examination of an heraldic, genealogical or historical nature, carried out by the bureau on behalf of any person or interested party and limited to a period of six hours, whether successful or not .....	90.00
(iii)	in any further extended search, for every additional period of one hour or part thereof .....	1.50
(iv)	where any such search has to be conducted through agencies or institutions overseas or elsewhere, the fees charged by these agencies or institutions shall be added to the aforementioned fees.	
(v)	As a general coverage for the fees payable for such services as are referred to in the foregoing subparagraphs (ii), (iii) and (iv), the state herald shall arrange with the person or interested party for a covering deposit of .....	25.00
(k) (i)	Correction of a clerical error in any register or in any record lodged in or issued by the bureau in any instance where the person or party registered was responsible for the error .....	10.00
(ii)	where such person or party was not responsible .....	No charge
(i)	Supplying copies of or extracts from public records in the bureau on foolscap paper, regardless of the number of words to a page:	
(aa)	double spacing .....	0.25
(bb)	single spacing .....	0.40
(ii)	certifying copies of or extracts from records in the bureau, per certification by the state herald, and in addition to the search fees and fees for making copies of or extracts from the records .....	0.40
(m)	Supplying an additional drawing of any coat of arms, badge, flag or other emblem:	
	In colour and on art paper, maximum size 9" X 10":	
(i)	As under 6(a)(i) .....	20.00
(ii)	As under 6(b)(i) .....	50.00

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(iii)	As under 6(b)(iii) .....	44.00
(iv)	As under 6(b)(v) .....	43.00
(v)	As under 6(b)(vii) .....	34.00
(n)	Fees are payable to the bureau in advance in cash, except in the case of par. 6(1) where revenue stamps are required.	

[Regulation 6 substituted by GN 1884/1967]

**Appeals**

7. (1) An appeal is duly noted in the prescribed manner as specified in Annexure D and within 30 days from the date of the state herald’s decision in question.

(2) A further appeal shall lie, in terms of subsection (1) of section *thirteen* of the Act, to the Minister or, in the case of the territory, to the Administrator, against any decision of the council, provided such appeal is noted in the prescribed manner as specified in Annexure E and within 30 days of the date of the council’s decision.

**Definitions**

8. Unless the context otherwise indicates, a word or expression defined in the Heraldry Act, 1962 (Act No. 18 of 1962), shall bear the same meaning in these Regulations.



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**ANNEXURE A**

REPUBLIC OF SOUTH AFRICA  
BUREAU OF HERALDRY  
CERTIFICATE OF REGISTRATION

Coat of arms of  
Government  
Archives

Embellished  
coat of arms of the  
Republic of South  
Africa

Coat of arms of the  
Bureau of Heraldry

Drawing of coat of  
arms, or badge

---

Heraldic Description

No. ....

ON BEHALF OF THE  
COUNCIL AND BUREAU OF  
HERALDRY  
it is hereby certified that a coat of  
arms or badge as illustrated and  
blazoned on the dexter side hereof,  
has been registered for  
  
in terms of sub-section 2(d) of  
section *three* and paragraph  
(b) of section *fourteen* of the  
Heraldry Act, 1962 (Act No. 18 of  
1962), as the inalienable property  
of the above-mentioned person.

Seal of  
the  
Bureau of  
Heraldry

.....  
Director of Archives  
Pretoria.  
Date .....

.....  
Chairman of the Heraldry Council  
.....  
State Herald

**REGULATIONS**  
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**ANNEXURE B**

REPUBLIC OF SOUTH AFRICA  
BUREAU OF HERALDRY  
CERTIFICATE OF REGISTRATION

Coat of arms of  
Government  
Archives

Embellished  
coat of arms of the  
Republic of South  
Africa

Coat of arms of the  
Bureau of Heraldry

Drawing of coat of  
arms, or badge or other  
emblem

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Heraldic Description

No. ....

ON BEHALF OF THE  
COUNCIL AND BUREAU OF  
HERALDRY  
it is hereby certified that a coat of  
arms, badge or other emblem as  
illustrated and blazoned on the  
dexter side hereof, has been  
registered for .....  
.....  
in terms of sub-section 2(d) of  
section *three* and paragraph  
(a) of section *fourteen* of the  
Heraldry Act, 1962 (Act No. 18 of  
1962), as the full and exclusive  
property of the above-mentioned  
body.

.....  
Director of Archives  
Pretoria.  
Date .....

Seal of  
the  
Bureau of  
Heraldry

.....  
Chairman of the Heraldry Council  
.....  
State Herald

**REGULATIONS**  
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**ANNEXURES**

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Annexures C-F.pdf

ANNEXURE C.  
REPUBLIC OF SOUTH AFRICA.  
BUREAU OF HERALDRY.  
HERALDRY ACT, 1962.  
(Act No. 18 of 1962.)

FORM OF APPLICATION FOR REGISTRATION.  
(Section 7 of Act No. 18 of 1962.)

THE STATE HERALD,  
PRIVATE BAG 236,  
PRETORIA.

I, the undersigned, being (state here Chairman, Secretary or Chief Executive Officer, if applicable) \_\_\_\_\_  
of (state name of body, if any) \_\_\_\_\_

an official or municipal authority, association, institution<sup>(1)</sup> or person<sup>(2)</sup>, hereby apply for the registration of<sup>(3)</sup>—

<sup>(1)</sup> See footnote 1 (a to d).  
<sup>(2)</sup> Delete words not applicable.  
<sup>(3)</sup> Delete items not required.

- (a) a coat of arms, badge or other emblem,  
(b) a historical or other family coat of arms<sup>(4)</sup>,

<sup>(4)</sup> See footnote 1 (e to h).

of that body or person in respect of which the following particulars are furnished:—

<sup>(5)</sup> Delete words not applicable.

- (a) Full name and address of the official or municipal authority, association, institution or person<sup>(2)</sup> \_\_\_\_\_  
\_\_\_\_\_

- (b) Full name and address of parent body, if any, to which it is affiliated or with which it is connected \_\_\_\_\_  
\_\_\_\_\_

- (c) The objects of the body concerned (unless these are fully set out in the constitution) \_\_\_\_\_  
\_\_\_\_\_

<sup>(6)</sup> Delete items not required.

- (d) The exact and precise description of the following items <sup>(6)</sup> to be registered—

(i) the coat of arms, badge or other emblem \_\_\_\_\_  
\_\_\_\_\_

(ii) the historical or other family coat of arms \_\_\_\_\_  
\_\_\_\_\_

<sup>(7)</sup> Delete words not applicable.

- (e) The Certificate of Registration to be issued in Afrikaans/English<sup>(7)</sup>. \_\_\_\_\_

<sup>(8)</sup> State here coat of arms, badge, other emblem, or historical or other family coat of arms.

I annex hereto a pictorial representation of <sup>(8)</sup> \_\_\_\_\_  
in respect of which registration is desired and a correct and up-to-date copy of the constitution of the body concerned.

Place \_\_\_\_\_ Signed \_\_\_\_\_  
Date \_\_\_\_\_ Designation \_\_\_\_\_  
(if any)

NOTE.

1. In terms of section *one* of the Act.
  - (a) "Official" means of or belonging to the Government of the Republic or any provincial administration, including the Territory of South West Africa.
  - (b) "Municipal" means of or belonging to an institution or body referred to in sub-paragraph (i) or (ii) of paragraph (f) of sub-section (1) of section *eighty-four* of the Republic of South Africa Constitution Act, 1961, and any similar institution or body in the territory;
  - (c) "Institution" means any institution, including any university, university college, teachers' college, training college, normal college, technical college, school or research institute, in the Republic, the territory or a foreign country, for the promotion of education, arts, science, or any other lawful human activity;
  - (d) "Association" means any association of persons in the Republic, the territory or a foreign country formed for the promotion of sport or for any other lawful purpose.
  - (e) "Coat of arms" means any object or figure, being a symbolic representation displayed in colours on a shield in conformity with the principles and rules of heraldry, with or without a crown, helmet, mantling, supporters, motto or other accessories;
  - (f) "Badge" means any object or figure, being a symbolic representation in conformity with the principles and rules of heraldry, but less formal than a coat of arms, used for official or municipal purposes or by any association, institution or person as a mark of recognition or as a distinguishing token;
  - (g) "Other emblem" means any flag, pennant, banner, decoration, medal, seal, insignia of any office or order or other heraldic or kindred symbolic representation, but does not include a coat of arms or badge;
  - (h) "historical family coat of arms" means a coat of arms which was granted to a member of a certain family in historical times or in regard to which it is known according to historical evidence or family tradition to have existed in historical times and to have been used by a member of a certain family.

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ANNEXURE D.

THE STATE HERALD,  
PRIVATE BAG 236,  
PRETORIA.

DEAR SIR,

With reference to your decision of \_\_\_\_\_  
disallowing the registration of a \_\_\_\_\_

as applied for by me, I hereby wish to appeal to the Heraldry Council for their consideration of the said application and their decision in the matter.

I enclose revenue stamps for the sum of R25, as prescribed in the regulations for an appeal of this kind.

Yours faithfully,

ANNEXURE E.

THE STATE HERALD,  
PRIVATE BAG 236,  
PRETORIA.

DEAR SIR,

With reference to your letter of \_\_\_\_\_  
informing me that the Heraldry Council has duly considered my appeal in connection with my application for the registration of \_\_\_\_\_

but has decided to uphold your decision in the matter, I hereby wish to appeal to the Minister (or the Administrator of the Territory of South West Africa, as the case may be), for the favour of his consideration of and decision in the matter of the aforesaid application.

I enclose revenue stamps for the sum of R50, as prescribed in the regulations for an appeal of this kind.

Yours faithfully,

ANNEXURE F.

REPUBLIC OF SOUTH AFRICA.

BUREAU OF HERALDRY.

HERALDRY ACT, 1962.  
(Act No. 18 of 1962.)

FORM OF OBJECTION.  
(Section 11 of the Act.)

THE STATE HERALD,  
PRIVATE BAG 236,  
PRETORIA.

I, \_\_\_\_\_  
the undersigned, hereby object, for the reasons more particularly set out below, to the registration of the coat of arms, badge or other emblem <sup>(1)</sup> of <sup>(2)</sup> \_\_\_\_\_

<sup>(1)</sup> Delete words not applicable.

<sup>(2)</sup> State full name of the body or person that has applied for registration.

<sup>(3)</sup> Or in an annexure, if this space is insufficient.

<sup>(4)</sup> To be completed by objector's signature, designation, full address and date.

the particulars in respect of which were published under Government Notice No. \_\_\_\_\_ in *Government Gazette* No. \_\_\_\_\_ both dated \_\_\_\_\_

Reasons to be given here<sup>(3)</sup>

Signed<sup>(4)</sup>

*N.B.*—Objections will be considered only if received within *three months* of the date of the publication in the *Gazette* of the notice of application for registration.