



LAWS OF SARAWAK

REPRINT

Chapter 53

STATE ANTHEM AND EMBLEMS ORDINANCE, 2002

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**STATE ANTHEM AND EMBLEMS
ORDINANCE, 2002**

Date Passed by Dewan Undangan Negeri	29th October, 2002
Date of Assent	8th November, 2002
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Sarawak Lawnet

LAWS OF SARAWAK

Chapter 53

**STATE ANTHEM AND EMBLEMS
ORDINANCE, 2002**

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State Anthem of the State of Sarawak

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LAWS OF SARAWAK

Chapter 53

STATE ANTHEM AND EMBLEMS ORDINANCE, 2002

An Ordinance relating to the State Anthem of Sarawak and to regulate the reproduction and playing thereof and the use of State emblems and names.

[20th November, 2002]

Enacted by the Legislature of Sarawak—

Short title

1. This Ordinance may be cited as the State Anthem and Emblems Ordinance, 2002.

Interpretation

2. In this Ordinance—

“competent authority” means any authority competent under any law for the time being in force to register any company, firm or other body of persons, or any trade mark or design, or to grant a patent;

“premises” means any land, building, structure, vessel, vehicle or place whatsoever;

“school” means any premises or part thereof used for the teaching, training or educational purposes, and includes any college, university or any other educational institution or training facility;

“specified emblem” means any emblem, crest, seal, flag, insignia, coat-of-arms or pictorial representation specified in Part I of the First Schedule;

“specified name” means any name or title specified in Part II of the First Schedule, and includes any abbreviation of any such name;

“State” means the State of Sarawak;

“State Anthem” means the State Anthem of the State of Sarawak being the composition consisting of words, lyrics and music specified in the Second Schedule;

“State Secretary” includes a Deputy State Secretary or any person temporarily discharging the office of State Secretary and, if so authorized by him to discharge any functions or duties conferred in this Ordinance on the State Secretary, a Resident;

“Yang di-Pertua Negeri” includes any person appointed under Article 1(3) of the Constitution of the State of Sarawak to temporarily exercise the functions of the Yang di-Pertua Negeri.

Playing of the State Anthem

3.—(1) The State Anthem shall be played on the following occasions:

(a) when a salute is given to the Yang di-Pertua Negeri while exercising the functions of the Yang di-Pertua Negeri or when the standard of the Yang di-Pertua Negeri is broken to symbolize the presence of the Yang di-Pertua Negeri;

(b) when a salute is given to His Majesty the Yang di-Pertuan Agong or at any official function given in His Majesty’s honour in the State;

(c) on all occasions when the Yang di-Pertua Negeri is present in person (including radio or television broadcasts by him);

(d) during official parades and other ceremonial State functions or events;

(e) on such other occasions where respect and decorum could be strictly observed when the State Anthem is played.

(2) The State Anthem may be played in schools for the purpose of teaching the students thereof to sing the State Anthem.

Mark of respect

4.—(1) Whenever the State Anthem is played or sung, all persons present shall stand at attention as a mark of respect except where the State Anthem is played or sung in the course of a broadcast over radio or television.

(2) Any person who knowingly shows disrespect towards the State Anthem in any public place shall be liable to a fine not exceeding five hundred ringgit or to imprisonment for a term not exceeding one month or to both.

(3) For the purpose of this section, failure to comply with subsection (1) and in relation to an offence under subsection (2) and any act or omission or sign or demeanour which tends to lower the prestige of or respect for the State Anthem in the eyes of the public shall constitute a show of disrespect.

Reproduction of State Anthem

5. No person shall, without a permit from the State Secretary—

(a) for the purpose of sale or monetary gain, print, publish or reproduce in any publication, cassette, disc, tape or any other form whatsoever, the State Anthem; or

(b) put up for sale or attempt to sell any works, cassette, disc, tape or book or any other document containing the State Anthem.

Prohibition of improper use of certain emblems and names

6.—(1) Notwithstanding anything contained in any law for the time being in force, no person shall, except with the written permission of the State Secretary—

(a) use any specified name or specified emblem, or any colourable imitation thereof, for the purpose of any trade, business, calling or profession; or

(b) use for the purpose of, or display as an advertisement for, any business, trade, calling or profession, or sell any photograph, drawing or other pictorial representation of the Yang di-Pertua Negeri; or

(c) use or continue to use any specified name or specified emblem, or any colourable imitation thereof, in the title of any patent, or in any trade mark or design; or

(d) make for the purposes of sale or sell or expose for sale or have in his possession for sale any specified emblem; or

(e) use any specified name or specified emblem, or any colourable imitation thereof as a letter-head or in any invitation card or any card intended to convey greetings to another on any festive occasion, religious or secular; or

(f) display on or affix to any vehicle any specified name or specified emblem or any material whatsoever containing any specified name or specified emblem or any colourable imitation thereof.

Provided that the provisions of this paragraph shall not apply to any vehicle provided by the State Government for the use of the Yang di-Pertua Negeri, the Chief Minister, a State Minister or the Speaker or the Deputy Speaker of the Dewan Undangan Negeri Sarawak.

(2) Nothing in subsection (1) shall be construed as prohibiting

(a) the use of any specified name or specified emblem for the official purposes of the Government of the State of Sarawak; or

(b) the use of any photograph, drawing or other pictorial representation of the Yang di-Pertua Negeri relating to the production of news (whether in a newspaper or any other medium) or to the publication of any article in a newspaper.

(3) The State Secretary may subject any permission given under subsection (1) to such conditions as he may deem fit.

Prohibition of registration of certain companies, etc.

7.—(1) Notwithstanding anything contained in any law for the time being in force, no competent authority shall—

(a) register any company, firm or other body of persons under any name; or

(b) register a trade mark or design which bears any emblem or name; or

(c) grant a patent in respect of an invention which bears a title containing any emblem or name,

if the use of such emblem or name would be in contravention of section 6.

(2) If any dispute arises whether any emblem or name is a specified emblem or specified name or a colourable imitation thereof, the competent authority shall refer the question to the Chief Minister and his decision thereon shall be final.

Offence and penalty

8. Any person who contravenes any of the provisions of section 5 or section 6(1) shall be guilty of an offence and shall upon conviction be liable to—

(a) in the case of a person other than a body corporate, a fine of not exceeding five thousand ringgit or imprisonment for a term not exceeding three years or both; and

(b) in the case of a body corporate, a fine of not exceeding ten thousand ringgit.

Arrest without warrant

9. Any police officer may arrest without warrant any person whom he has reasonable cause to believe has committed or is committing an offence under this Ordinance.

Power of entry and search

10. Any police officer may enter—

(a) any premises where any State emblem is displayed contrary to this Ordinance or in breach of the conditions of any permit made or given under section 6; or

(b) any school in which he has reasonable cause to believe that an offence against this Ordinance is being or has been committed,

and may search any premises or school so entered or any part thereof and may seize any article or document found therein which he has reasonable cause to believe to be evidence of the commission of any such offence.

Conduct of prosecution

11. The prosecution of any offence under this Ordinance may be conducted by the Public Prosecutor or any person authorized in writing by him under section 377 of the Criminal Procedure Code [Act 593].

Amendment of Schedules

12. The Majlis Mesyuarat Kerajaan Negeri may, by notification in the *Gazette*, amend the First and Second Schedules.

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FIRST SCHEDULE

(Sections 2 and 12)

PART I

EMBLEMS

1. The State Flag of the State of Sarawak.
2. The Standards, Coat-of-Arms and Official Seal of His Excellency the Yang di-Pertua Negeri of the State of Sarawak.
3. The Public Seal of the State of Sarawak.
4. The State Coat-of-Arms, Emblem or Crest of the Government of the State of Sarawak.
5. The Orders, Insignias, Medals, Badges and Decorations instituted by His Excellency the Yang di-Pertua Negeri of the State of Sarawak.
6. The old State Flag of the State of Sarawak.
7. The old State Crest of the State of Sarawak.

PART II

NAMES

The name and/or designation of His Excellency the Yang di-Pertua Negeri of the State of Sarawak.

SECOND SCHEDULE

(Sections 2 and 12)

**STATE ANTHEM
OF THE STATE OF SARAWAK**

PART I

IBU PERTIWIKU

SARAWAK TANAH AIRKU
NEGERIKU TANAH AIRKU SARAWAK
ENGKAULAH TANAH PUSAKAKU
TANAH TUMPAH DARAHKU
IBU PERTIWIKU

RAKYAT HIDUP MESRA DAN BAHGIA
DAMAI MUHIBBAH SENTIASA
BERSATU BERUSAHA BERBAKTI
UNTUK SARAWAK KUCINTAI

SARAWAK DALAM MALAYSIA
AMAN MAKMUR RAHMAT TUHAN MAHA ESA
KEKALLAH SARAWAK BERTUAH
TERAS PERJUANGAN RAKYAT
BERJAYA BERDAULAT

PART II
IBU PERTIWIKU

Gubahan:
Wan Osman Hamid

Conductor
Moderato.

Drum Roll

molto Rall.
molto Res.

Dolore.

[List of Amendments]

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**STATE ANTHEM AND EMBLEMS
ORDINANCE, 2002**

LIST OF AMENDMENTS

Amending Law	Short Title	In force from
	-Nil-	

