

04 Absolute Grounds - General

Clause 3.1.5.9 Olympic Games and Commonwealth Games

Section 20A of the Flags, Emblems and Names Protection Act 1981 prohibits the use of any word, name, title, style or designation that:

- Includes any emblem, word or name specified in Schedule 2A of the Flags, Emblems and Names Protection Act 1981; or
- So closely resembles any emblem, word or name specified in that Schedule as to be likely to deceive or mislead any person.

Section 20A does not prohibit the use of any emblem, word or name if:

- That use is expressly authorised by or under any Act or by the Governor-General by Order in Council;
- Immediately before the date that section 20A commenced:
 - The use was expressly authorised by a person lawfully entitled to give such authorisation; or
 - The emblem, word or name was registered under any statutory authority;
- The emblem, word or name is part of the description of any sporting or recreational facilities operated by a local authority or community organisation;
- The use is for the purposes of, or associated with, news reporting, criticism or review by a person who ordinarily engages in the business of reporting;
- The use is for the purposes of, or associated with, a radio or television programme, the Internet, or a film, book or article relating to a person who was a member or official of the New Zealand team that competed at an Olympic Games or Commonwealth Games;
- The word or name comprises the whole or part of the proper name of any town, road or other place in New Zealand;
- The word or name is the surname or initials of the person engaging in the business, trade or occupation.

The contents of Schedule 2A are set out below.

Part 1: Emblems

The Five Ring Olympic Symbol (as depicted above, or in black)

The Five Ring Olympic Symbol with a Fern Leaf

(as depicted above, or in black, with or without the words "New Zealand" or "New Zealand Olympic Committee" or any abbreviation or combination of those words)

The Five Ring Olympic Symbol with a Fern Leaf and the words "New Zealand"

"Goldie" the Official New Zealand Olympic mascot

(as depicted above, or in any other form, colours, or pose, with or without any sporting equipment, with or without the New Zealand flag or any flag picturing the five Olympic rings, and with or without words or other symbols).

The Olympic Flame Symbol (as depicted above, or in any other form, colours, context, or position, or in a hand-held torch with the Five Ring Olympic symbol, whether or not the Five Ring Olympic symbol is on a flag, and whether or not the torch and symbol are with the New Zealand Flag, or a Fern Leaf, or both).

The New Zealand Commonwealth Games Symbol (as depicted above, or in black).

Part 2: Names

- Commonwealth Games
- Five Ring Olympic Symbol
- Five Ring Olympic Symbol with a fern leaf

- International Olympic Committee
- New Zealand Olympic Committee Incorporated
- National Olympic Committee
- New Zealand Olympic and Commonwealth Games Association Incorporated
- New Zealand Olympic Team
- New Zealand Commonwealth Games Team
- Olympic Games
- Olympic Gold
- Any abbreviation, extension or derivation of the above.
- Names that have the same or a similar meaning to the above.

Part 3: Words relating to Olympic and Commonwealth Games

- Salt Lake 2002
- Manchester 2002
- Athens 2004
- Any words in column A when used in connection with any words in column B

Column A	Column B
Games	Salt Lake City
Olympiad	Manchester
Olympian	Athens
Olympic	2002
	2004
	Nineteenth
	XIXth
	19th
	Twenty-Fifth
	XXVth
	25th
	Twenty-Eighth
	XXVIIIth
	28th

- Games City
- Gold Games
- Any abbreviation, extension or derivation of the above.
- Words that have the same or similar meaning to the above.