

# Geneva Convention Act, 1937.

[1 EDW. 8. & 1 GEO. 6. CH. 15.]

---

---

## ARRANGEMENT OF SECTIONS.

---

A.D. 1937.

Section.

1. Prohibition of use of certain designs and words.
2. Provision as to Australia.
3. Provision as to other parts of British Empire.
4. Short title and citation.





### CHAPTER 15.

An Act to enable effect to be given to Article twenty-eight of the International Convention for the amelioration of the condition of the wounded and sick in armies in the field done at Geneva on the twenty-seventh day of July, nineteen hundred and twenty-nine, and for purposes connected therewith. [19th March 1937.]

A.D. 1937.

**W**HEREAS His Majesty has ratified an International Convention for the amelioration of the condition of the wounded and sick in armies in the field which was done at Geneva on the twenty-seventh day of July, nineteen hundred and twenty-nine :

And whereas, in order to give effect to Article twenty-eight of the said Convention, and for purposes connected therewith, it is expedient to make such amendments in the law as are contained in this Act :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) It shall not be lawful for any person, without the authority of the Board of Trade, to use for the purposes of his trade or business, or for any other purpose whatsoever—

Prohibition of use of certain designs and words.

- (a) any design consisting of a white or silver cross on a red ground, none of the limbs of which extends to the margin of the ground, being the cross comprised in the Arms of the Swiss Confederation; or

A.D. 1937.

1 & 2 Geo. 5.  
c. 20.

- (b) any design being a colourable imitation of the design mentioned in the last foregoing paragraph; or
- (c) any design being a colourable imitation of the heraldic emblem of the red cross on a white ground mentioned in subsection (1) of section one of the Geneva Convention Act, 1911, or any words so nearly resembling the words "Red Cross" or "Geneva Cross" as to be capable of being understood as referring to the said emblem.

(2) If any person contravenes the provisions of the last foregoing subsection, he shall, subject as hereafter provided, be guilty of an offence under this Act and liable on summary conviction to a fine not exceeding ten pounds and to forfeit any goods upon or in connection with which the design or words was or were used.

(3) Nothing in this section shall apply to a trade mark registered before the twenty-third day of December, nineteen hundred and thirty-one, and consisting of or containing any such design as is mentioned in paragraph (a) or paragraph (b) of subsection (1) of this section; and where a person is charged with using such a design for any purpose and it is proved that he used it otherwise than as or as part of a trade mark registered as aforesaid, it shall be a defence for him to prove—

- (a) that he lawfully used that design for that purpose before the said twenty-third day of December; or
- (b) in a case where he is charged with using the design upon goods, that the design had been applied to the goods before he acquired them by some other person who had manufactured or dealt with the goods in the course of trade, and that that other person lawfully used the design upon similar goods before the said twenty-third day of December.

(4) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of any director, manager, secretary or other officer of the body corporate, he, as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) Proceedings under this section shall not be instituted in England without the consent of the Attorney-General or in Northern Ireland without the consent of the Attorney-General for Northern Ireland. A.D. 1937. —

(6) The authority of the Board of Trade under this section may be given by the President, or a Secretary, Under Secretary or Assistant Secretary, of the Board, or any person authorised in that behalf by the President of the Board.

2. Notwithstanding anything in any enactment or rule of law, the Parliament of the Commonwealth of Australia shall have power to pass a law to give effect to all the provisions of Article twenty-eight of the said Convention, and any such law may enact— Provision as to Australia.

(a) that the provisions thereof shall extend, not only to the Commonwealth of Australia but also to any territories which are administered under the authority of His Majesty's Government in the Commonwealth of Australia or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by that Government; and

(b) that the Geneva Convention Act, 1911, shall cease to extend to the Commonwealth of Australia and to any such territories as aforesaid to which the provisions of the said law extend.

3. His Majesty may by Order in Council provide that section one of this Act shall extend, subject to such modifications (if any) as may be specified in the Order, to the Isle of Man, any of the Channel Islands, Newfoundland or any colony. Provision as to other parts of British Empire.

4. This Act may be cited as the Geneva Convention Act, 1937, and this Act and the Geneva Convention Act, 1911, may be cited together as the Geneva Conventions Acts, 1911 and 1937. Short title and citation.

---

Printed by EYRE AND SPOTTISWOODE LIMITED

FOR

SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

---

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
Austral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;  
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;  
80 Chichester Street, Belfast;  
or through any bookseller

ISBN 0 10 520012 3