

BUSINESS AND TRADE NAMES (PROHIBITION) ACT

Act 6 of 1988 – 16 April 1988

ARRANGEMENT OF SECTIONS

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BUSINESS AND TRADE NAMES (PROHIBITION) ACT

1. Short title

This Act may be cited as the Business and Trade Names (Prohibition) Act.

2. Interpretation

In this Act—

“body” does not include a business or a company;

“business” has the same meaning as in the Business Registration Act;

“company” has the same meaning as in the Companies Act 2001;

“Minister” means the Prime Minister.

[S. 2 amended by Act 40 of 2002.]

3. Prohibition of use of certain words

(1) Except with the Minister’s written consent, no person shall use in relation to the name, title or designation of a body the word “Authority”, “Corporation”, “State”, “Government”, “Mauritius”, “National”, “Regional”, “State”, or any other word which, in the Minister’s opinion, suggests, or is likely to suggest that it enjoys the patronage of Government or of a statutory corporation or of the Government of any other State.

(2) Any person who wishes to use in relation to the name, title or designation of a body any word specified in subsection (1) shall make an application to the Minister in such manner as the Minister may determine.

[S. 3 amended by Act 48 of 1991.]

4. Offences

(1) Any person who contravenes section 3 shall commit an offence and shall, on conviction, be liable to a fine not exceeding 5,000 rupees and to imprisonment for a term not exceeding 2 years.

(2) The Court before which a person is convicted of an offence shall, in addition to any penalty imposed, order the offender to cease, within such time as may be specified by the Court, using any word specified in section 3.

(3) Any person who fails to comply with an order made under subsection (2) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 5 years.

5. Jurisdiction

Notwithstanding—

- (a) section 114 of the Courts Act; and
- (b) section 72 of the District and Intermediate Courts (Criminal Jurisdiction) Act,

a Magistrate shall have jurisdiction to try any offence and impose any penalty under this Act.

6. —
