

LEGISLATIVE RESEARCH SERVICE
DEPARTMENT OF THE PARLIAMENTARY LIBRARY

OLYMPIC INSIGNIA PROTECTION BILL 1986

Date introduced: 23 October 1986
House: House of Representatives
Presented by: Hon. John Brown, M.P.,
Minister for Sport, Recreation
and Tourism

DIGEST OF BILL

Purpose

To allow the Australian Olympic Federation (AOF) to regulate the use of the Olympic insignia and other designs.

Background

The cost of attending the Olympic Games is steadily increasing and the AOF is seeking to raise \$10m to send a team to the 1988 Seoul Olympics. The funds are raised from many sources such as commercial activities, public donations and Government funding. One of the methods is to licence the use of Olympic symbols such as the Olympic rings, the rings and Boomerangs and 'Willy the Koala'. However, to ensure maximum return from such licencing there needs to be a guarantee that unauthorised use can be prevented. The prospect of legislation to protect use was foreshadowed in the OAF's 1985 Annual Report.

Main Provisions

The interpretation provisions are contained in clause 2. The more important are Olympic symbol - the interlinked five rings; protected design - the Olympic symbol or a registered Olympic design; and protection period - 12 years from the day a design was registered.

The AOF will be the owner of protected designs (clause 6) and will have a monopoly in a protected design (clause 7).

It will be a breach of the monopoly to, without the AOF's licence, apply a protected design or an imitation to any article, import an article carrying a protected design

or to sell, offer for sale or hire an article bearing an imitation. This provision will apply at any time for the Olympic symbol and during the protection period for other protected designs (clause 8).

Breaches of the monopoly may be remedied in the Federal Court (clause 9).

Clause 10 provides for the registration of new or original designs.

The protection period may be extended for another 12 years where the Registrar would be required to register that design if presented at the end of the protection period (clause 11).

A register of Olympic Designs is to be kept (clause 12).

The AOF will be unable to dispose or put a charge on its interests in the Olympic symbol or a protected design (clause 15).

Licences issued before the commencement of this Bill will be protected by the Bill (clause 16).

The Copyright Act 1968 will not apply to the Olympic symbol or another design registered under this Bill (clause 17).

For further information, if required, contact the Law and Government Group.

Bills Digest Service
LEGISLATIVE RESEARCH SERVICE

24 March 1987

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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