

BUREAU OF HERALDRY

GENERAL INFORMATION AND INSTRUCTIONS TO APPLICANTS

1. The Heraldry Act, 1962 (Act No. 18 of 1962), provides for the registration and legal protection of coats of arms, badges, emblems, names, special names and uniforms.
2. Prospective applicants are requested to make a thorough study of the definitions which appear as footnotes to the application forms.
3. Before a formal application is submitted, the applicant would be well advised to approach the Bureau of Heraldry in order to ascertain:
 - (i) whether the proposed heraldic representation, name, special name or uniform does not clash with any existing registration. (In cases where the Bureau of Heraldry will be assisting an applicant in the preparation of the design of a new heraldic representation, this would not apply.
 - (ii) whether the proposed design can in fact with or without amendments be registered, i.e. that it is not a commercial “logo” which cannot be registered under the Heraldry Act.
4. Applicants should also be aware of the following:
 - (i) The duration of the registration process may take up to two and a half years. This is due to the various and many processes and actions which has to be carried out (of which the applicant) is not always aware of. These include the following:
 - (a). Design phase (up to six months if not longer)
 - (b). First Notice of Application (two to three months)
 - (c). Objection period (one full month)
 - (d). Request for balance (up to five months or more depending on applicant)
 - (e). Second Notice of Registration (up to two months)
 - (f). Preparation of final certificate (up to six months depending on amount of prior applications in the queue).
 - (g). Package, postage and delivery (up to six weeks)
 - (ii) No applicant may request special favours or that their application may be processed before another application, or approach any of the staff members of the Bureau of Heraldry in order to secure a registration ahead of applicants who applied prior to them.
 - (iii) No person, association, institution, municipal authority, official department etc. is compelled by any law or act (including the Heraldry Act) to register any unique or distinctive coat of arms, flag, “logo”, badge or any other emblem it wishes to adopt as its own. A person, association, institution, municipal

authority, official department etc. may simply adopt any unique or distinctive coat of arms, flag, "logo", badge or any other emblem as its own and proceed to use it provided that it is unique and not an imitation (or close imitation) of any other existing (registered or unregistered) coat of arms, flag, "logo", badge or any other emblem.

- (iv) Applicants should minimise the amount of enquiries to the Bureau of Heraldry relating to the stage and due date. This causes severe disruptions in the processes and stages. The Bureau of Heraldry will inform the applicant from time to time where in the process the application is. It is brought to applicants attention that the process is a legal process which have to comply with the provisions of the Act and therefore the preparation stages takes considerable time.
- (v) A heraldic design must be in line with the rules of heraldry which can be found in various books on the subject. The internet also hosts many websites dedicated to heraldry, its rules and applications.
- (vi) Many people are under the impression that coats of arms exists for each and every surname and all one has to do is open a book, find a coat of arms under one's surname and claim it as one's own. This is actually a distortion of the rules and laws governing heraldry. One must bear in mind that it is a basic heraldic principle that arms are granted to individuals and not to families as a whole. For this reason a coat of arms can only belong to a single person at any given time. When such a person dies his/her direct descendants may inherit the coat of arms with or without difference as the case may be. If a person would like to register a historical coat of arms undifferenced he will have to provide proof that he is a **direct descendant of the original registered owner of the arms in question**. A direct descendant is a person who can prove that he is in line to inherit a coat of arms due to the fact that he is the oldest son of his father and his father the oldest son of his father etc. all the way back to the originally registered armiger.
- (vii) In cases where historical coats of arms exist or where new arms are registered with a heraldic authority, only the original armigers and their proven direct descendants are entitled to bear the arms in question. Proof of descent from the original armiger is essential and in this respect genealogy and heraldry cannot be separated. A person can only register an existing/historical coat of arms for him/herself if he/she can prove sufficiently that he/she is a direct descendant of the original registered owner thereof.
- (viii) Most of the coats of arms designed and registered by the Bureau of Heraldry are new coats of arms. This is due to the fact that few people have sufficient proof to lay a claim of inheritance on an existing/historical coat of arms.
- (ix) If you would like to register an **existing/historical** coat of arms in your name you will have to **provide proof** of your **direct ancestral descent** from the **registered owner** of such a coat of arms as well as your specific relation to such a person. If you are not able to locate the necessary information you are welcome to approach the Bureau of Heraldry for the **design and registration** of a **new personal coat of arms** for yourself. In cases where a person can prove that he is a descendant of the original armiger but cannot prove direct lineage a new coat of arms may be designed for the person

which can contain elements of the original arms together with new elements of his own choosing in a new configuration. Any person may apply to the Bureau of Heraldry to have his/her own coat of arms designed and registered. The Bureau will gladly assist with the design of a new coat of arms if the applicant so wishes. Upon receipt of the initial amount a full colour **draft design** will be prepared based on the information which the applicant provides. Women normally only bear a shield because of the fact that they did not take part in battle in the historical past and would therefore not have worn a helmet and mantling.

- (x) Apart from personal coats of arms, the Bureau of Heraldry also design and register **family association** coats of arms. In such cases the coat of arms consists of a shield only (no helmet, crest and mantling) which is subdivided horizontally into two sections. The lower two thirds of the shield is reserved for **elements which is chosen by the members of the family association**. The upper one third of the shield remains empty and the shield is registered for the family association as is. Individual members of the association may then use this shield as a starting point and must place **elements in the empty upper part of the shield** as well as choose **elements for the crest** in order to create a new unique full coat of arms. Such a person's coat of arms remains unique although one can clearly see that the person is a member of a specific family association. Prior to approaching the Bureau for such a registration the association must be established. It must be named, its aims must be set out and it must set up a constitution.

5. Hereafter a formal application, consisting of the following, may be submitted:
- a. An application form, fully and correctly completed. It is important that the postal address be furnished. A telephone number is also desirable.
 - b. PLEASE NOTE: IT IS THE BUREAU OF HERALDRY'S POLICY NOT TO PROCESS ANY APPLICATIONS WHICH ARE RECEIVED VIA A THIRD PARTY. WHEN A LAW FIRM OR ANY THIRD PARTY REFUSES TO ALLOW THE BUREAU OF HERALDRY TO DEAL DIRECTLY WITH THE CLIENT (APPLICANT) SUCH APPLICATION WILL SIMPLY BE PUT ON HOLD AND ARCHIVED UNTILL SUCH TIME THAT DIRECT COMMUNICATION WITH THE APPLICANT IS ESTABLISHED.
 - c. If the Bureau of Heraldry will not be assisting with design, a drawing of the proposed heraldic representations or uniform, as follows:
6. in respect of arms, badges or other emblems the designs should be in colour not larger than A4 size. Embroidered pocket badges are also acceptable. Both designs and badges submitted form a part of the Bureau's records and will not be returned.
- a. as far as "uniforms" are concerned, applicants should, where possible, send an example of the blazer material. In all other cases, for example rugby jerseys, ties or socks, no articles of clothing will be accepted: instead, a

drawing not larger than A4 size, should be submitted in the precise colours, and the measurements of the stripes must be accurately stated. In this connection, the applicant's attention is drawn to the fact that apparel which is not distinctive in colour and design may not be registered.

- b. A copy of the Constitution of the body, where the application is made by an association; or of the birth certificate or appropriate page of the identity document in respect of an application for a personal heraldic representation;
 - c. Where applicable, the name of the association or institution should be given in full in both English, Afrikaans and any other of the official languages normally used, on the application form;
 - d. If the Bureau of Heraldry is required to assist an applicant with the design of arms, a badge or any other emblem, comprehensive background information, including colour preference should be furnished;
 - e. If a motto is to be included in the registration of a heraldic representation, and this is neither in English nor Afrikaans, a translation into one, preferably both of these languages should be furnished;
7. PLEASE NOTE: Payments may be made in cash, by means of a cheque or by making use of a direct electronic bank transfer.
 8. Revenue stamps and postal order are not acceptable means of payment.
 - i. Payments from foreign countries should be by means of a bank draft drawn on a South African commercial bank or by means of a direct electronic bank transfer – the latter now being preferable.
 - ii. The initial amount is not refundable in cases where an application is either unsuccessful or is withdrawn by the applicant.
 9. The State Herald may approve or reject an application or refer it for further consideration to the Heraldry Committee. Since the Committee meets periodically only, the processing of an application in such a case may be subject to delay.
 10. Should the State Herald or Heraldry Committee reject an application, the applicant may, if he or she so wishes, appeal against the rejection. This he or she would do in writing, to the Heraldry Council, stating the grounds of appeal, within six weeks of being informed of the rejection by the Bureau of Heraldry. The Council may uphold or reject the appeal.
 11. After an application for registration has been approved in principle by the State Herald or Heraldry Committee, the Bureau of Heraldry will publish details of the application in the *Government Gazette*, to enable persons wishing to object to the proposed registration to do so within the prescribed period.

12. Objections submitted are laid before the Heraldry Committee for consideration and a decision. The Committee's judgement is likewise subject to a right of appeal to the Council.
13. Should no valid objection be received to the proposed registration of heraldic representation, the State Herald will inform the applicant accordingly, where after the balance of the fee listed in the tariff on fees becomes payable, before the details can be entered in the register and a registration certificate issued. (Please note, no additional fees are payable for names, special names and uniforms).
14. As soon as the registration fee has been fully paid, the Bureau gives notice in the *Government Gazette* that registration has been effected. The heraldic representation, name, special name or uniform concerned, as the case may be, will enjoy legal protection under the Heraldry Act.
15. A certificate of registration will be issued to the applicant as follows –
 - a. in the case of a name, special name or uniform the registration certificate will be issued shortly after the publication of the notice of registration;
 - b. in the case of a heraldic representation the certificate may take considerably longer to complete. These certificates of registration bear a hand-painted representation of the relevant arms, badge or other emblem and the registered blazon (heraldic description) is also engrossed thereon.
16. PLEASE NOTE: The illuminated drawing of a heraldic representation which the artists of the Bureau of Heraldry depict on the certificate will not necessarily be identical to the design submitted by the applicant. The Bureau's graphic interpretation is executed in the contemporary heraldic style in conformity with accepted armorial principles. The Heraldry Council expects applicants to consider this rendition as standard and to take it into use when circumstances permit.
17. The owners of registered heraldic representations who wish to have the representations reproduced commercially in colour will, on application to the Bureau, be provided with samples of the colours used on the heraldic representation for the guidance of their printers. Sample colours do not refer to CMYK or Pantone but to actual painted samples on paper.

General Notice to applicants and prospective applicants.

Please distribute as widely as possible.

MORATORIUM ON THE INCLUSION OF ADDITAMENTS AND THE REGISTRATION THERE-OF IN COATS OF ARMS UNDER THE HERALDRY ACT (ACT 18 OF 1962) PENDING FINAL RESOLUTION BY THE HERALDRY COUNCIL

Ref. No.: H4/1/1

1. Please note that the Bureau of Heraldry has placed, with immediate effect, a moratorium on the inclusion of certain additaments in the registration of coats of arms in South Africa under the Heraldry Act (Act 18 of 1962) pending a final resolution in this regard by the Heraldry Council:
 - i) A moratorium has been placed on the registration of arms for foreign nationals which include any form of additaments such as supporters, special compartments, crowns or coronets, helmets, supporters etc. which signifies or indicates nobility, a title, rank, a feudal barony, a lord of a manor, a chief of a clan a prince of a principality etc. or any other addition to a coat of arms other than a normal shield, helmet, crest, mantling and motto which attempts to indicate some form of title, class, nobility, rank or possession of property.
 - ii) A moratorium has been placed on the registration of arms for South African nationals which include additaments such as supporters, special compartments, crowns or coronets, helmets, supporters etc. which signifies or indicates nobility, a title, rank, a feudal barony, a lord of a manor, a prince of a principality etc. of a foreign country.
 - iii) In line with a Heraldry Council Resolution dated 21 October 1988, a moratorium has been placed on the inclusion of honorifics and titles on registration certificates. These include titles and qualifications such as Chief Judge, Dr., Prof., Prince, Duke, Count, Baron, the Noble etc..
2. The above moratoriums do not affect the registration of coats of arms without any additaments for nationals and foreign nationals.

3. The above moratorium do not affect the registration of arms including additaments such as supporters for South African nationals who submits proof of being a Knight Grand Cross of a recognised Order of Chivalry.
4. Applications, which have been received before 10 October 2002, will be processed and these applicants will receive their registration certificates in due course.
5. Due to the complexities of the problems which the Bureau of Heraldry daily faces in order to confirm claims to certain additaments and, since in most cases, applicants fail to submit full and detailed information relating to their claims and full confirmation from the relevant foreign authorities are rarely forthcoming, the above moratoriums are necessitated.
6. Your kind observation of the above is greatly appreciated.

All applications should be addressed to –

The State Herald
Private Bag X236
PRETORIA
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Tel.: (012) 441 3261
Fax: (012) 441 3305

The Bureau of Heraldry's physical address is –

National Archives Building
24 Hamilton Street
PRETORIA

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