

**POLICY ON THE REPRODUCTION OF IMAGES OF THE NAMIBIAN  
CURRENCY**

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# **BANK OF NAMIBIA POLICY ON THE REPRODUCTION OF IMAGES OF THE NAMIBIAN CURRENCY**

## **1. DEFINITIONS OF KEY TERMS**

- 1.1. “Currency”** means banknotes and coins of the Republic of Namibia as defined in Section 17 of the Bank of Namibia Act, 1997 (Act No. 15 of 1997) as amended.;
- 1.2. “Legal tender”** means previous, current and future notes and coins issued by the Bank as defined in Section 19 of the Bank of Namibia Act, 1997 (Act No. 15 of 1997). Legal tender and any commemorative coins minted and issued under approval of the Bank of Namibia.
- 1.3. “Reproduce”** means to copy, depict, make, replicate, imitate, design or simulate any part or the whole of the visual image, contents or appearance of currency in any manner by means of illustrations, paintings, photographs, pictures, graphics, physical objects, electronic images, and cinematography and through the use of any material or print media or electronic media, such as the Internet, television and films.
- 1.4. “Act”** means the Bank of Namibia Act, 1997 (No. 15 of 1997), as amended.
- 1.5. “Bank”** means the Bank of Namibia.
- 1.6. “Non-compliant reproduction”** means any reproduction made that is not complying with the provisions in this policy.

## **2. POLICY STATEMENT AND OBJECTIVE**

- 2.1.** The Bank of Namibia retains the sole mandate in terms of Section 19 of the Bank of Namibia Act, 1997 (Act No. 15 of 1997) to produce and issue Namibian currency.
- 2.2.** Members of public approach the Bank from time to time with requests to reproduce images of Namibian currency.

**2.3.** Section 25(1)(c) of the Bank of Namibia Act, 1997 (Act No. 15 of 1997) and subject to Section 2 of the Prevention of Counterfeiting of Currency Act, 1965 (Act No. 16 of 1965), provides that any person who without the permission of the Bank:

*“(i) engraves or makes upon any, material whatsoever any words, figures, letters, marks, lines or devices the print whereof, resembles in whole or in part any words, figures, letters, marks, lines or devices peculiar to and used in or upon any note of the Bank or any coin, which is legal tender; or*

*(ii) uses or knowingly has in his or her possession any material whatsoever upon which has been engraved or made any words, figures, letters, marks, lines or devices contemplated in subparagraph (i); or*

*(iii) photographs or copies in whatever manner a note of the Bank of Namibia”; shall be guilty of an offence...“*

**2.4.** Such person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding N\$100 000 or to imprisonment for a period not exceeding seven years, or to both such fine and imprisonment.

**2.5.** In view of the primary objective of the Bank to protect and maintain the stability of the currency, it is necessary for the Bank to protect the image and integrity of the national currency so as to retain public confidence.

**2.6.** Against this background, this policy ensures that entities other than the Bank reproduce images of the Namibian currency only under specific approved circumstances and that any reproduction of images is done in such a manner that prevents an imitation leading to public confusion or counterfeits.

### **3. POLICY SCOPE**

This policy will apply to any legal or natural person or entity of whatever nationality who intends to reproduce images of Namibian currency for the purpose of education, news, currency collection or portrayal in simulated commercial transactions.

#### **4. AUTHORISED PERMISSION TO REPRODUCE IMAGES OF CURRENCY**

To avoid the risk of potential criminal and civil consequences, the Bank's written permission for the reproduction of banknote and coin images must be obtained before the image is reproduced. The Bank will give permission only in writing.

The Bank shall have the sole discretion to grant or refuse permission to reproduce images of the Namibian currency. With exceptions as defined in paragraph 6.2, any person reproducing images of currency without the Bank's written permission will make him or herself guilty of violating the Act. Once the Bank has exercised its discretion to approve a request for reproduction, the following conditions may be imposed:

##### **4.1. Banknotes**

The image of a banknote that the Bank may authorise for reproduction must meet the following minimum requirements:

- 4.1.1. It must be either in black and white or retain the colours of the genuine note.
- 4.1.2. The reproduction must be overprinted with the word "SPECIMEN" in solid black lettering that is not less than one third the size of the reproduction and which runs diagonally from the bottom left corner to the top right corner of the image.
- 4.1.3. It must, unless in electronic format, be at least 30 percent larger (for enlargements) in linear dimensions or at least 30 percent smaller (for reductions) in linear dimensions, than the length and width of the actual note size and be done proportionately. In the case of flat images (whether partially or in whole), it must include in black ink the words "IMAGE NOT LEGAL TENDER" diagonally across the reproduced note, but should not obscure the portrait in any way.
- 4.1.4. It must be printed on a single side only, i.e. be printed to depict the front and/or the back of the banknote on one side of paper only, but not be printed both concurrently to resemble a genuine banknote, which may lead to possible abuse.

4.1.5. The material used for reproductions must be distinctly different from the material used for genuine banknotes.

4.1.6. In the case of electronic reproductions, it must be depicted at a slant and not flat on screen and must form part of a larger pictorial design.

4.1.7. In the case of currency being depicted in a motion picture, e.g. on video clips, films and television, it must be portrayed in a way that resembles a normal commercial transaction and

4.1.8. The reproduction of currency must maintain and not detract from the dignity, image, emblem and design of the genuine banknote.

## **4.2. Coins**

The image of a coin that the Bank may authorise for reproduction must meet the following minimum requirements:

4.2.1. It must:

4.2.1.1. in the event of illustrations or flat images, be in any size or in the colour of the genuine coin; or

4.2.1.2. in the event of raised images, be more than twice the diameter (for enlargements) or less than half the diameter (for reductions) of the genuine coin.

4.2.2. The reproduction of an image of a coin must maintain and not detract from the dignity and image of the coin and any emblem or design thereof.

4.2.3. It must not be reproduced on any material similar to the material used in the production of the specific coin.

## **5. PROMOTIONAL COUPONS AND VOUCHERS**

The Bank will not approve requests where the originator wishes to produce a promotional coupon or voucher that bears likeness to a Namibian banknote as these reproductions could be mistaken for genuine notes. These coupons or vouchers diminish the importance of the currency to the nation.

## **6. DEEMED PERMISSION TO REPRODUCE IMAGES OF CURRENCY**

- 6.1.** The Bank recognizes that it is in the public interest that images of currency be shown from time to time in the print and the electronic media, and deems this as a manner in which the Bank's ongoing banknote awareness campaign is promoted.
- 6.2.** The Bank furthermore recognizes the time constraints within which the news media operates. To this end, the Bank grants, as an exception to the application procedures set out in paragraph 7 of this policy, a general permission to editors of the print media and television producers to reproduce images of currency without in each instance obtaining the prior written approval of the Bank.
- 6.3.** This general permission is granted within the parameters set out in paragraph 6.1 of this policy and is restricted to the following media and purposes of reproduction, namely:
  - 6.3.1** Financial and business news for publishing in daily or weekly newspapers;  
and
  - 6.3.2** Financial and business news in the form of a "cut away" on television.

## **7. UNAUTHORISED REPRODUCTION OF IMAGES OF CURRENCY**

The Bank will decline applications containing reproductions of currency images, which:

- 7.1.** Do not meet any or all of the minimum requirements as set out in paragraph 4 of this policy;
- 7.2.** Distort the images of Kaptein Hendrik Witbooi and Dr. Sam Nujoma;
- 7.3.** Appear in an offensive context, for example in conjunction with imagery or text of pornographic nature;
- 7.4.** Distort the shape, colour, design or emblems of banknotes and/or coins in any manner and may thereby tarnish the dignity and national symbolic importance of banknotes and coins;

- 7.5. Depict banknotes and/or coins protruding from objects or receptacles, overlaid with any object, folded, crumpled, torn, rolled or are otherwise depicted in the shape of any object;
- 7.6. Portray banknotes and/or coins other than in the normal course of commercial transactions;
- 7.7. Are to be featured in collaboration with any design or icon that shows disrespect to anyone including country, race, gender, religion and culture;
- 7.8. Use the Bank's name in association with such reproduction to signify the Bank's endorsement thereof;
- 7.9. Are intended to be used in any advertisement other than for bona fide educational purposes, banknote and/or coin collecting or legitimate economic, financial and business news articles, catalogues and/or brochures;
- 7.10. Are intended to be used for decorative, promotional or ornamental purposes;
- 7.11. Are printed on both sides as to give the impression that the reproduction is a genuine banknote and/or coin; and/or
- 7.12. Are metal-based in the case of coins.

## **8. PROCEDURES**

- 8.1. Any person wishing to reproduce images of currency must within fewer than two (2) weeks before taking steps for such reproduction, apply in writing for the Bank's permission. No reproduction for images of currency is allowed until the written permission of the Bank has been obtained.
- 8.2. The same applies to renewal of permission.
- 8.3. The application must be in writing and addressed to the Director: Banking Services Department of the Bank.



- 8.4.** The application must at minimum, contain the following information:
- 8.4.1. details of the applicant, i.e. full name, name of organisation, address, contact numbers, e-mail address and date of application;
  - 8.4.2. the type of legal tender to be reproduced (old or new series);
  - 8.4.3. the manner in which the image of the currency will be reproduced;
  - 8.4.4. whether the obverse or the reverse of a banknote and/or coin will be reproduced;
  - 8.4.5. the material and media, e.g. physical reproductions, reproductions on film or television, reproduction on the Internet or on CD-Rom, which will be utilised;
  - 8.4.6. a brief statement of the purpose for which the reproduction is intended;
  - 8.4.7. the proposed duration for which the reproduced image of the currency will be used; and
  - 8.4.8. an illustration, drawing or sketch of how the currency will be depicted or used.
  - 8.4.9. The date by which the Bank's approval is requested.
- 8.5.** The Bank may either decline or grant permission in writing when satisfied that there is no risk that the reproduction may give the impression that it is a genuine banknote or coin or may be misused by counterfeiters. The permission may be conditional and for a limited period. Conditions may under certain circumstances be relaxed in respect of previous series of currency.
- 8.6.** Should the Bank approve the application, the reproduction must include an acknowledgement of such approval by reflecting the words "reproduction authorized by Bank of Namibia".
- 8.7.** Any person making reproductions, must ensure that items such as photocopies, photographic negatives, positives and scanned images stored on compact disks,

graphic files, microfilms, videotapes, slides or other equipment are stored securely and not misused.

- 8.8.** Negatives, photographs, blocks, plates, compact disks, films, microfilms, videotapes, slides and any other material used to reproduce or store the reproduction of the currency must be destroyed, deleted or erased on expiry of the period of permission granted by the Bank.
- 8.9.** The Bank may require proof to be submitted in a format acceptable to the Bank of such destruction, deletion or erasure.
- 8.10.** The Bank may require an affidavit as proof of destruction, in order to complete the procedure.
- 8.11.** The Bank reserves the right, at any stage without prior notice, to amend or revoke an earlier approval.

## **9. ENFORCEMENT OF MEASURES TO COUNTER NON-COMPLIANT REPRODUCTIONS**

- 9.1.** Where the Bank becomes aware of a non-compliant reproduction in its national territory, it shall order the non-compliant party to stop producing the non-compliant reproduction, and shall, where deemed appropriate, order the party in possession of the non-compliant reproduction to hand over the non-compliant reproduction.
- 9.2.** Where the non-compliant party does not comply with an order issued under paragraph 8.2, this may be construed to be a contravention of Section 25 of the Act.
- 9.3.** Reproductions which the general public might mistake for genuine Namibian currency shall be deemed unlawful.
- 9.4.** Reproduction rules for Namibian currency also apply to previous Namibian currency series that have been withdrawn.

## **10. DISCLAIMER AND RIGHTS OF THE BANK**

- 10.1.** The Bank will not be liable for any consequences arising from the granting of permission and/or the amendment or revocation of permission to reproduce images of currency.
- 10.2.** The Bank reserves the right, at any time, after receiving an application, to request further information as it may deem necessary to approve or decline any such application.
- 10.3.** The Bank reserves the right, at any stage, to amend or revoke this policy.

## **11. COMMUNICATION**

This policy will, as far as possible, be communicated in writing to the various financial and news media editors, publishers of educational and/or currency related material and banknote collections and television producers.

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