

CHAPTER 32

FLAGS AND COAT OF ARMS (REGULATION)

FLAGS AND COAT OF ARMS REGULATIONS, 1991

(SECTION 7)

S.I 89/1991

[Commencement 1st November, 1991]

1. These Regulations may be cited as the Flags and Coat of Arms Regulations, 1991. Citation.

**PART I
NATIONAL FLAG**

2. The National Flag may be flown on public holidays and on such other days as the Minister may by notice published in the *Gazette* declare for that purpose. Flying of Flag on public holidays.

3. (1) The National Flag shall be flown only between the hours of sunrise and sunset: Hours during which Flag shall be flown.

Provided that the Minister may give permission for the National Flag to be flown otherwise than during the said hours.

(2) When flown at night the National Flag shall be properly illuminated.

4. (1) The National Flag shall be flown with due respect and in accordance with any instructions issued by the Minister and, subject to paragraph (3) of regulation 9, when flown with other flags, it shall be in a more prominent position than the other flags. Respect for Flag.

(2) The National Flag shall be kept clean and shall be maintained in a reasonable state of repair when flown.

(3) When the National Flag becomes worn, faded or otherwise unfit for use it shall be disposed of privately by burning.

5. Subject to these Regulations, the National Flag may be freely displayed in public except where — Manner and place of display of Flag.

- (a) such display is in a manner which is likely to provoke a breach of the peace; or
- (b) on a vehicle —
 - (i) it is of such dimension or so placed as to impede the navigation of the vehicle; or
 - (ii) it is flown from the centre of the hood of a vehicle by unauthorised persons.

Government buildings, offices, etc.

- 6.** (1) The National Flag may be flown —
- (a) on any Government building or office;
 - (b) on any building or office owned or occupied by a board, corporation or other body for which a Minister is assigned responsibility;
 - (c) on a motor-car, boat or ship in or by which a Minister is for the time being travelling; and
 - (d) at any school.

(2) In subparagraph (d) of paragraph (1), “school” has the meaning assigned to that expression by subsection (1) of section 2 of the Education Act.

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Government-owned ships, etc.

- 7.** The National Flag shall be flown —
- (a) at the stem on all Government-owned vessels and Royal Bahamas Defence Force vessels, while in any port, while at anchor or when not under way; and
 - (b) on all lighthouses.

Representation of Flag on Government-owned aircraft and motor vehicles.

8. A representation of the National Flag may be borne on Government-owned aircraft and motor vehicles.

Foreign Flags.

9. (1) No flag of any foreign nation shall be flown in The Bahamas unless the National Flag is also flown.

(2) Paragraph (1) shall not apply to flags of any foreign nation flown at any embassy, consulate, mission or military establishment of that foreign nation.

(3) Where flags of a foreign nation are flown along with the National Flag, they shall be approximately the same size, and flown from separate staff at the same height, as the National Flag.

Flags at half-mast.

10. The National Flag shall be flown at half-mast as a sign of official mourning when and as advised by the Cabinet Office.

**PART II
COAT OF ARMS**

11.(1) The Coat of Arms shall not be displayed without written permission from the Minister, except on Government buildings. Display of Coat of Arms.

(2) The design or any part of the Coat of Arms shall not be used or reproduced without written permission from the Minister except for Government purposes.

12.(1) A representation of the Coat of Arms may be borne on Government-owned air-craft, motor vehicles and Government-owned vessels. Representation of Coat of Arms.

(2) A representation of the Coat of Arms may be worn by persons representing The Bahamas in any official or sporting function in The Bahamas or outside The Bahamas.

**PART III
OTHER FLAGS**

13.(1) The flag described in Part I of the First Schedule is hereby deemed to be the flag of the Senate and is referred to, in these Regulations, as the “Senate Flag”. Senate Flag. Part I of First Schedule.

(2) When the Senate is sitting, the Senate Flag shall be flown from the building where the Senate is sitting.

14. No person other than the President of the Senate shall use a miniature of the Senate Flag as a car flag. Senate Flag as car flag.

15.(1) The flag described in Part II of the First Schedule is hereby deemed to be the flag of the House of Assembly and is referred to, in these Regulations, as the “House of Assembly Flag”. House of Assembly Flag. Part II of First Schedule.

(2) When the House of Assembly is sitting, the House of Assembly Flag shall be flown from the building where the House is sitting.

16. No person other than the Speaker of the House of Assembly shall use a miniature of the House of Assembly Flag as a car flag. House of Assembly Flag as car flag.

17.(1) The flag described in Part III of the First Schedule is hereby deemed to be a Minister’s Flag and is referred to, in these Regulations, as the “Minister’s Flag”. Minister’s Flag. Part III of First Schedule.

(2) No person other than a Minister shall use the Minister's Flag.

Royal Bahamas
Defence Force
flags.

Part IV of First
Schedule.

Bahamas Prison
Service Flag.
Part V of First
Schedule.

Flags flown on
certain
Government
vessels and
merchant ships.
Part VI of First
Schedule.

Flag for use on
private vessels
owned by
Bahamians and
merchant ships
having Bahamian
registry.
Part VII of First
Schedule.

Stem jack for use
in port on private
vessels owned by
Bahamians and
merchant ships
having Bahamian
registry.
Part VIII of First
Schedule.

18. The flags described in Part IV of the First Schedule are hereby deemed to be the flags for use by the Royal Bahamas Defence Force.

19. The flag described in Part V of the First Schedule is hereby deemed to be the flag for use by the Bahamas Prison Service.

20. The flags described in Part VI of the First Schedule are hereby deemed to be the flags for use by unarmed Government-owned vessels and merchant ships commanded by an officer on the active, retired or emergency list of a British Commonwealth Naval Reserve, who is not below the rank of Lieutenant-Commander and who holds a warrant issued by the Minister.

21. The flag described in Part VII of the First Schedule is hereby deemed to be the flag for use on private vessels owned by Bahamians and on merchant ships having Bahamian registry.

22. The stem jack described in Part VIII of the First Schedule is hereby deemed to be the stem jack for use on private vessels owned by Bahamians and on merchant ships having Bahamian registry, which may be flown when in any port, while at anchor or when not under way.

PART IV MISCELLANEOUS

Licence.

23. (1) Any person making application to the Minister for permission to use the National Flag or the Coat of Arms or a similar flag or device in any connection mentioned in subsection (1) of section 4 of the Act shall supply the information relating to the applicant and the proposed use in accordance with the form of application set out in Part I of the Second Schedule.

Part I of Second
Schedule.

(2) The Minister shall, after the making of an application, notify the applicant whether or not his application is approved and, if approved, the Minister may upon payment by the applicant of a fee of twenty dollars grant a licence to the applicant.

(3) The licence shall be in the form set out in Part II of the Second Schedule and shall be subject to such conditions as the Minister thinks fit.

Part II of Second Schedule.

(4) The Minister may withdraw the licence if the licensee contravenes any of the conditions of the licence, or if the Minister deems it expedient in the public interest so to do, and after the licensee has had an opportunity to explain any complaint against him before the Minister.

24. Any person who contravenes any provision of these Regulations for which no specific penalty is provided is guilty of an offence and liable on summary conviction therefor to a fine of two hundred and fifty dollars or to a term of imprisonment of three months or to both such fine and imprisonment.

Penalties.

FIRST SCHEDULE

PART I (Regulation 13)

Senate Flag

The Coat of Arms of The Bahamas in the centre of a red background.

PART II (Regulation 15)

House of Assembly Flag

The Coat of Arms of The Bahamas in the centre of a green background.

PART III (Regulation 17)

Ministers' Flag

The National Flag of the Commonwealth of The Bahamas to the dexter on a roundel argent a representation of the Arms of the Commonwealth of The Bahamas proper.

PART IV (Regulation 18)*The Royal Bahamas Defence Force Flags*

Senior Officers Pennant

Vert a Pale Argent

White Ensign

Argent a Cross throughout Gules in the first quarter Azure a Fess or overall a Pile issuing from the dexter Sable

Commissioning Pennant

A Pennant in the hoist Argent a Cross Vert the fly also Argent

Commodores Pennant

A forked Pennant Argent throughout a Cross Vert and in the first quarter a Roundel also Vert

The Jack

Azure a Fess or Overall a Pile issuing from the dexter Sable

PART V (Regulation 19)*The Bahamas Prison Service Flag*

A wreath surrounding two crossed keys and the words “Bahamas Prison Service” in gold letters in the centre of a green background

PART VI (Regulation 20)*Unarmed Government-owned Vessels and Merchant Ships Flags Flown by Warrant*

An upright and horizontal band of dark blue crossing at the centre on a white background with a representation of the National Flag of the Commonwealth of The Bahamas in the top left hand corner against the mast

Gules a Cross Argent throughout in the first quarter a representation of the National Flag of the Commonwealth of The Bahamas proper

PART VII (Regulation 21)*Flag for use on Private Vessels Owned by Bahamians and Merchant Ships having Bahamian Registry*

An upright and horizontal band of white crossing at the centre on a red background with a representation of the National Flag of the Commonwealth of The Bahamas in the top left hand corner against the mast

Gules a Cross Argent throughout in the first quarter a representation of the National Flag of the Commonwealth of The Bahamas proper

PART VIII (Regulation 22)

Stem Jack for use on Private Vessels Owned by Bahamians and Merchant Ships having Bahamian Registry, which may be Flown while in any Port, while at Anchor or when not Underway

A swallow tailed flag consisting of an upright and horizontal band of white crossing at the centre on a red background with a representation of the National Flag of the Commonwealth of The Bahamas in the top left hand corner against the mast

Gules a Cross Argent throughout in the first quarter a representation of the National Flag of the Commonwealth of The Bahamas proper

SECOND SCHEDULE

PART I (Regulation 23(1))

THE FLAGS AND COAT OF ARMS (REGULATION) ACT

Application for Permission to use the National Flag or Coat of Arms or a Similar Flag or Device ¹

To the Minister responsible for Flags and Coat of Arms

NAME OF APPLICANT:

ADDRESS OF APPLICANT:

P.O. Box No.:..... TELEPHONE No:

1. I, the abovenamed Applicant, hereby apply for the permission of the Minister to—
 - (1) apply to the goods/articles/things which are described in paragraph 2 below and which have been made/produced/distributed/sold by me, the design illustrated in paragraph 3 below;
 - (2) import into The Bahamas the goods/articles/things which are described in paragraph 2 below and to which there has been applied the design illustrated in paragraph 3 below;

¹ Strike out from the Application those particulars which do not apply

- (3) use or permit to be used in the manner specified in paragraph 4 below and in connection with a business/trade/calling/profession, the design illustrated in paragraph 3 below.
 - 2. Detailed description of goods/articles/things to which the application relates:.....
.....
.....
 - 3. Illustration of the National Flag/Coat of Arms/part of the design of the National Flag/part of the design of the Coat of Arms/other flag/device, to which the application relates:
 - 4. Manner in which it is proposed to use the design illustrated in paragraph 3 above in connection with a business/trade/calling/profession:.....
.....
 - 5. Date on which permission is required:
- Signature.....
- Date.....

PART II (Regulation 23(3))

THE FLAGS AND COAT OF ARMS (REGULATION) ACT

Licence Granted Pursuant to Section 7(d) of the Act ²

LICENCE No.:

LICENCE is hereby granted to.....

of..... to apply to the following goods/articles/things, or to import into The Bahamas the following goods/articles/things to which there has been applied, or to use or permit to be used in connection with a business/trade/calling/profession, the National Flag/the Coat of Arms/a part of the design of the National Flag/a part of the design of the Coat of Arms/any other flag/device

Detailed description of goods/articles/things

.....

Detailed description of business/trade/calling/profession.....

.....

Subject to the conditions specified hereunder, this Licence—

- (a) shall not be transferred or assigned;

² Strike out from the Licence those particulars which do not apply

- (b) authorises the application of the National Flag/Coat of Arms/
part of the design of the National Flag/part of the design of the
Coat of Arms/other flag/device only to the goods/articles/
things described in it;
- (c) authorises the importation into The Bahamas of the
goods/articles/things described in it subject to compliance by
the licensee with the requirements of any written law;
- (d) authorises the use of the National Flag/Coat of Arms/part of the
design of the National Flag/part of the design of the coat of
Arms/other flag/device in connection with a business/trade/
calling/profession and only in the following manner:
.....
.....
- (e) expires on 31st December next following the date of issue.
(Insert any other conditions that may be imposed)