

CHAPTER 32

FLAGS AND COAT OF ARMS (REGULATION)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Insulting the National Flag, etc. an offence.
4. Prohibition of improper use of National Flag.
5. Prohibition of improper use of the Governor-General's Flag and the Prime Minister's Flag.
6. Forfeiture.
7. Regulations.

SCHEDULE.

CHAPTER 32

FLAGS AND COAT OF ARMS (REGULATION)

An Act to regulate the use of the National Flag, the Governor-General’s Flag, the Prime Minister’s Flag and the Coat of Arms of The Bahamas and to provide for matters incidental to or connected therewith. *20 of 1973*

*[Assent 4th July, 1973]
[Commencement 10th July, 1973]*

1. This Act may be cited as the Flags and Coat of Arms (Regulation) Act. Short title.

2. (1) In this Act, unless the context otherwise requires — Interpretation.

“Coat of Arms” means the Coat of Arms of The Bahamas described in Part IV of the Schedule; Schedule.

“Governor-General’s Flag” means the Governor-General’s Flag described in Part II of the Schedule;

“Minister” means the Minister responsible for Flags and Coats of Arms;

“National Flag” means the Flag of The Bahamas described in Part I of the Schedule;

“Prime Minister’s Flag” means the Prime Minister’s Flag described in Part III of the Schedule.

(2) Unless the context otherwise requires, references in this Act to a section are references to a section of this Act and references in a section to a subsection are references to a subsection of that section.

3. Where any person —

(a) mutilates, cuts, tears, burns or in any way defaces whether by writing, printing or stamping thereon or otherwise; or

(b) by any spoken words insults or brings into contempt or ridicule,

Insulting the National Flag, etc., an offence.

the National Flag, the Governor-General's Flag, the Prime Minister's Flag or the Coat of Arms, or any representations thereof, such person, unless he can prove that the act was done with lawful justification or excuse or the words were spoken without intent to insult or bring into contempt or ridicule the said Flags or the Coat of Arms, or any representations thereof, shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Prohibition of improper use of National Flag, etc.

4. (1) No person shall, except with the written permission of the Minister —

(a) apply to any goods, articles or things made, produced, distributed or sold by him, or import into The Bahamas any goods, articles or things to which there has been applied, the National Flag or the Coat of Arms or any part of the design thereof (or a flag or device so nearly resembling them as to be calculated to deceive); or

(b) use or permit to be used in connection with any business, trade, calling or profession, the National Flag or the Coat of Arms or any part of the design thereof (or a flag or device so nearly resembling them as to be calculated to deceive) in a manner calculated to lead to the belief that he is duly authorized to use the National Flag or Coat of Arms, as the case may be, in that connection.

(2) Any permission given under subsection (1) may be given subject to such conditions as the Minister may deem fit.

(3) Any person who contravenes the provisions of subsection (1) or who fails to comply with any of the conditions imposed in pursuance of subsection (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

5. (1) No person, other than the Governor-General or a person authorized by the Governor-General in that behalf, shall fly, display or otherwise use the Governor-General's Flag.

Prohibition of improper use of the Governor-General's Flag and the Prime Minister's Flag.

(2) No person, other than the Prime Minister or a person authorized by the Prime Minister in that behalf, shall fly, display or otherwise use the Prime Minister's Flag.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to a term of imprisonment not exceeding three months or to both such fine and imprisonment.

6. Where a person is convicted of an offence under this Act or any regulations made thereunder, the court before which he is convicted may, in addition to any other punishment provided for in this Act or in any regulations made thereunder, direct that any articles, goods or things by means or in respect of which the offence was committed shall be forfeited.

Forfeiture.

7. The Minister may make regulations —

Regulations.

- (a) prescribing the occasions upon which, the persons by whom and the manner in which the National Flag or the Coat of Arms may be flown or displayed, as the case may be;
- (b) prohibiting, controlling or restricting the use of the National Flag or the Coat of Arms;
- (c) providing for such other Flags as the Minister may from time to time deem necessary and prescribing the occasions upon which, the persons by whom and the manner in which any such Flag may be flown;
- (d) regulating the manner in which application may be made to him for his authority to use the National Flag or the Coat of Arms in any connection mentioned in subsection (1) of section 4 and prescribing a form of licence by which that authority may be given;
- (e) constituting offences in relation to any of the matters referred to in the foregoing paragraphs and prescribing penalties in respect thereof.

SCHEDULE (Section 2(1))**PART I**

The following is a description of the National Flag of The Bahamas —

Azure a Fess Or issuing from the dexter a Pile Sable.

PART II

The following is a description of the Governor-General's Flag —

Azure representation of the Royal Crest proper ensigning a scroll or inscribed Commonwealth of The Bahamas in Letters Sable.

PART III

The following is a description of the Prime Minister's Flag —

Azure a Fess Or issuing from the dexter a Pile Sable charged in the sinister with a Mace erect counterchanged over a Sun in Basem.

PART IV

The following is a description of the Coat of Arms of The Bahamas —

- Arms: Upon a representation of the Santa Maria on a base barry wavy of four Azure and Argent on a Chief Azure demisun Or.
- Crest: Upon a representation of Our Royal Helmet mantled Azure doubled Argent on a Wreath Or and Azure. A Conch Shell proper in front of a Panache of Palm Fronds proper.
- Supporters: On the dexter side a Marlin proper and on the sinister side a Flamingo proper; and upon a Compartment per pale Waves of the Sea and Swampland proper.
- Motto: "Forward, Upward, Onward Together".