

# A BILL

## FOR

AN ACT TO AMEND FLAGS AND COAT OF ARMS ACT CAP. F30 LAWS OF THE FEDERATION OF NIGERIA, 2004, IN ORDER TO PROVIDE ADEQUATE PENALTIES FOR THE DESECRATION, DISHONOURING OR DESTRUCTION OF THE NATIONAL FLAG AND DISPARAGING THE COLOURS, COAT OF ARMS OR THE ANTHEM OF THE FEDERAL REPUBLIC OF NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Nnenna Elendu Ukeje*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- |    |  |                   |
|----|--|-------------------|
| 1  | 1. The Flags and Coat of Arms Act (in this Bill referred to as "the            | Amendment of      |
| 2  | Principal Act") is amended as set out in this Bill.                            | the Principal Act |
| 3  | 2. The Principal Act is amended by inserting new clause "8" after              | Insertion of new  |
| 4  | the existing Section 7 as follows:   | clause "8"        |
| 5  | "8 (1) A Person who publicly:  | Desecration of    |
| 6  | (a) desecrates or otherwise dishonour the National Flag;                       | National Flag     |
| 7  | (b) without lawful authority, burns, mutilates or otherwise destroys           |                   |
| 8  | the National Flag; and   |                   |
| 9  | (c) disparages the colours, coat of arms or the anthem of the Federal          |                   |
| 10 | Republic of Nigeria, shall be guilty of an offence and be liable on conviction |                   |
| 11 | to a fine of N500,000.00 or five years term of imprisonment or both.           |                   |
| 12 | (2) The provision of sub-clause (1) of this Clause shall not apply to          |                   |
| 13 | where:   |                   |
| 14 | (d) a person is disposing the National Flag because it has become              |                   |
| 15 | worn, soiled or damage; and  |                   |
| 16 | (e) the damage being done to an image of the National Flag is                  |                   |
| 17 | because that image is affixed to an item or article and the damage done is a   |                   |

- 1 consequence of the ordinary use of that item or article."
- Citation 2 3. This Bill may be cited as Flags and Coat of Arms Act (Amendment)
- 3 Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Flags and Coat of Arms Act Cap. F30 Laws of the Federation of Nigeria, 2004, in order to provide adequate penalties for the desecration, dishonouring or destruction of the National Flag and disparaging the colours, coat of arms or the anthem of the Federal Republic of Nigeria.

17 because that image is affixed to an item or article and the damage done is  
 16 (c) the damage being done to an image of the National Flag is  
 15 item, article or emblem; and  
 14 (d) a person is disposing the National Flag because it has become  
 13 waste;  
 12 (2) The provisions of sub-section (1) of this section shall not apply to  
 11 a fine of ₦500,000 or five years term of imprisonment or both;  
 10 Republic of Nigeria, shall be guilty of an offence and be liable on conviction  
 9 (c) disparages the colours, coat of arms or the anthem of the Federal  
 8 the National Flag; and  
 7 (b) within lawfully authority, burns, mutilates or otherwise destroys  
 6 (b) desecrates or otherwise dishonours the National Flag;  
 5 "81) A person who publicly  
 4 the existing section 7 as follows:  
 3 2. The Principal Act is amended by inserting new clause "81" after  
 2 Principal Act) is amended as set out in this Bill.  
 1 1. The Flags and Coat of Arms Act (in this Bill referred to as "the