

## CHAPTER 6

### THE NATIONAL FLAG AND ARMORIAL ENSIGNS ACT

# ARRANGEMENT OF SECTIONS

#### Section

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SCHEDULE-The National Flag, the President's Standard and the Armorial Ensigns

## CHAPTER 6

NATIONAL FLAG AND ARMORIAL ENSIGNS

23 of 1965

13 of 1994

An Act to declare the National Flag, the President's Standard and the Armorial Ensigns; to regulate the uses thereof and to create an offence for any insult thereto; to empower the Minister to make regulations; and to provide for matters incidental to or connected with the foregoing.

[4th June, 1965]

1. This Act may be cited as the National Flag and Armorial Ensigns Act. Short title Act.
2. (1) The flag of which the design and description are set out in Part I of the Schedule is hereby declared to be the National Flag of Zambia

(in this Act referred to as "the National Flag").

National Flag, the  
President's Standard  
and the Armorial  
Ensigns

(2) The flag of which the design and description are set out in Part II of the Schedule is hereby declared to be the President's Standard (in this Act referred to as "the Standard").

(3) The heraldic device of which the design and description are set out in Part III of the Schedule is hereby declared to be the Armorial Ensigns of Zambia (in this Act referred to as "the Armorial Ensigns").

**3.** Any person who does any act or utters any words with intent to insult or bring into contempt or ridicule the National Flag, the Standard or the Armorial Ensigns, or any representation thereof, shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding two years.

Insulting the  
National Flag, etc.,  
an offence

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

Prohibition of  
improper use of  
National Flag, etc.

(a) apply to any goods made, produced or sold by him, or import any goods to which there has been applied, the National Flag or the Armorial Ensigns 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 Armorial Ensigns 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 authorised to use the National Flag or Armorial Ensigns, 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) No person, other than the President or a person authorised by the President in that behalf, shall fly, display or otherwise use the Standard.

(4) Any person who contravenes the provisions of this section 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 conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both.

*(As amended by Act No. 13 of 1994)*

5. When a person is convicted of an offence under this Act or any regulations made thereunder, the court before which he is convicted shall, in the case of an offence under section *four*, and in the case of any other offence, may, in addition to any other punishment provided for in this Act or in any regulations made thereunder, direct that any goods or thing by means or in respect of which the offence was committed shall be forfeited. Forfeiture

6. The Minister may, by statutory instrument, make regulations- Regulations

(a) prescribing the occasions upon which, the persons by whom and the manner in which the National Flag or the Armorial Ensigns may be flown or displayed, as the case may be;

(b) prohibiting, controlling or restricting the use of the National Flag or the Armorial Ensigns;

(c) regulating the manner in which application may be made to him for his authority to use the National Flag or the Armorial Ensigns in the connection mentioned in subsection (1) of section *four*, prescribing a form of licence by which that authority may be given and fixing fees for such applications and licences;

(d) constituting offences in relation to any of the matters referred to in the foregoing paragraphs and prescribing penalties in respect thereof.

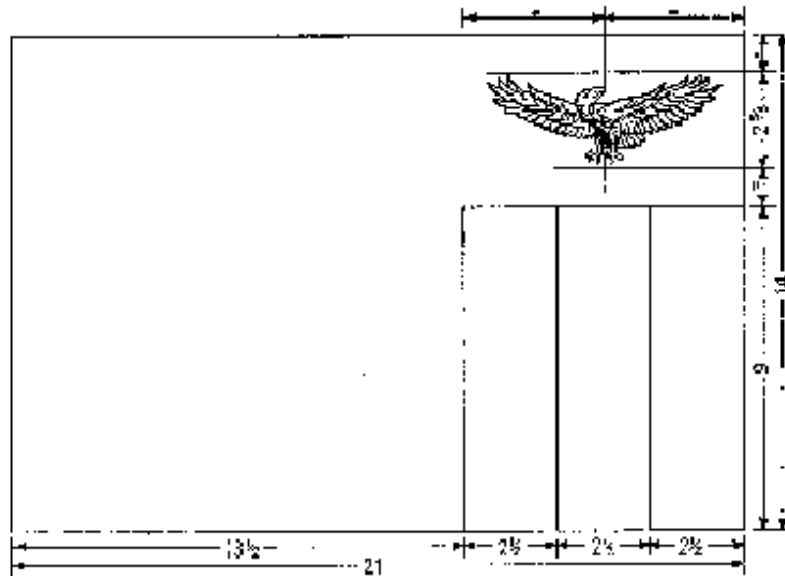
## SCHEDULE

*(Section 2)*

THE NATIONAL FLAG, THE PRESIDENT'S STANDARD AND  
THE ARMORIAL ENSIGNS

## PART I

### THE NATIONAL FLAG OF ZAMBIA



#### *Description*

*Green with an orange coloured eagle in flight over a rectangular block of three vertical stripes coloured from left to right in red, black and orange; of overall dimensions 3:2; and to the following colour specifications:*

- (a) "Spectrum Green", British Colour Council Shade reference 100.
- (b) "Union Jack Red", British Colour Council Shade reference 210.
- (c) "Jet Black", British Colour Council Shade reference 220.
- (d) "Spectrum Orange", British Colour Council Shade reference 57.

## PART II

### THE PRESIDENT'S STANDARD



#### *Description*

The Armorial Ensigns in the dimensions 1:1, on a flag of overall dimensions 3:2 and to the following colour specification:

"Spectrum Orange", British Colour Council Shade reference 57.

### PART III

#### THE ARMORIAL ENSIGNS OF ZAMBIA

##### Description

**SHIELD:** Sable six pallets wavy argent.

**SUPPORTERS:** On the dexter side a Zambian man habited in Bush shirt, short trousers and sandals and on the sinister side a Zambian woman attired in traditional dress proper and both standing on a Compartment of Vegetation thereon a Mine Shaft Head a Maize Cob and a Zebra trotting all proper.

**MOTTO:** ONE ZAMBIA ONE NATION.

*Badge:* (Here shown surmounting the shield)

An eagle head to the sinister or rising from a hoe and a pick in saltire proper.

## SUBSIDIARY LEGISLATION

SECTION 6:

Statutory Instrument

270 of 1965

### **THE NATIONAL FLAG AND ARMORIAL ENSIGNS REGULATIONS**

Act No.

13 of 1994

*Regulations by the Minister*

**1.** These Regulations may be cited as the National Flag and Armorial Ensigns Regulations.

Title

**2.** Except as provided by these Regulations, the National Flag shall not be flown without written permission from the Minister, and any person who contravenes the provisions of this regulation shall be guilty of an offence.

Unauthorised flying  
of National Flag

**3.** Notwithstanding anything contained in these Regulations, the National Flag may be flown-

Certain premises to  
fly National Flag

- (a) at buildings or premises owned or occupied by the Government;
- (b) at buildings or premises owned or occupied by local government authorities;
- (c) at buildings or premises owned or occupied by any statutory

board or statutory corporation;

(d) at state-aided schools; and

(e) on any motor car, boat or ship in or by which a Minister of Government is for the time being travelling.

**4.** The Minister may in writing authorise any person to fly the National Flag on any premises or at such buildings and on such days or occasions as he may specify, and such permission may be given subject to any conditions which the Minister may think expedient.

Minister's power to  
authorise National  
Flag to be flown

**5.** Subject to the provisions of regulations 6 and 7, the National Flag may be flown by any person-

National Flag to be  
flown on certain  
occasions

(a) on the following public holidays, namely: Africa Freedom Day, Heroes Day, Unity Day, and Independence Day; and

(b) on such other days or occasions as the Minister may declare for this purpose.

**6.** (1) The National Flag shall be flown with due respect and, when flown with other flags, the National Flag shall be in a more prominent position than other flags.

Manner of flying and  
maintaining National  
Flag

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

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

**7.** The National Flag shall be flown only between the hours of sunrise and sunset, and any person who contravenes the provisions of this regulation shall be guilty of an offence.

National Flag to be  
flown during the  
day-time

**8.** Except for Government purposes, no person shall use the National Flag for any purpose whatsoever without first obtaining written permission from the Minister, and any person who contravenes the provisions of this regulation shall be guilty of an offence.

Use of National Flag

**9.** The Armorial Ensigns shall not be displayed without written permission from the Minister, except on Government buildings. Display of Armorial Ensigns

**10.** The design or any part of the design of the National Flag or of the Armorial Ensigns shall not be used or reproduced without written permission from the Minister, except for Government purposes, and any person who contravenes the provisions of this regulation shall be guilty of an offence. Use of design

**11.** An application for any permission required under the Act or these Regulations shall be made in writing to the Permanent Secretary, in the Ministry responsible for Commerce, Trade and Industry, giving full particulars of the proposed use and, where appropriate, an illustration of the proposed use. Application for permission

**12.** Any person who is found guilty of an offence under these Regulations shall be liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, or to both. Penalties

*(As amended by Act No. 13 of 1994)*