

A BILL

FOR

AN ACT TO AMEND THE DISPLAY AND USE OF THE NATIONAL FLAG,
CERTAIN FLAGS AND THE NATIONAL COAT OF ARMS ACT OF 1960 AND
FOR RELATED MATTERS, 2017

Sponsored by Hon. Sam. I. Onuigbo

[] Commencement

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

- 1 1. The Act to regulate the display and use of the National flag,
2 certain flags and the National coat of arms of 1960 in this Bill referred to as
3 the "the principal Act" is amended as set out in this Bill. The Act to
regulate the display
and use of the
National Flag and
Coat of Arms etc.
of 1960
- 4 2. Section 2 of the principal Act which is "interpretation" is
5 amended by adding the following- Amend of the
interpretation
- 6 "Public place shall include any government office at all levels and
7 every office of the military, Police, Para-military organizations, public
8 schools of all levels of education".
- 9 3. Section 3, subsection 2 of the principal Act is amended by
10 creating new clauses, that is to say subsection (c) and this shall read thus "It
11 shall be a disrespect for the National flag for any person/organization to
12 produce or construct the National flag contrary to the one conceived by Pa
13 Michael Taiwo Akinkunmi in 1959 with a green and white colour, without
14 any embellishment of any sort including the Coat of Arms on it. A violation
15 of this is an offence". Amendment of
Section 3,
Subsection 2
- 16 4. Section 3, subsection (d) shall read thus "The National Coat of
17 Arms also shall not be deconstructed in any form and any violation of this
18 subsection of this Act is an offence". Amendment of
Section 3,
Subsection (d)
- 19 5. Section 3, subsection (e)- "from the date of the passage and
20 commencement of this subsection into law, it shall be an offence for any
21 " Amendment of
Section 3,
Subsection (e)

1 person/organization to construct both the National flag and the National Coat
2 of Arms except the National Orientation Agency (NOA) or without a written
3 approval of the Minister/NOA". "To give effect to this subsection the NOA
4 may register individuals/organizations to construct both the National flag and
5 the National Coat of Arms,"

Amendment of
Section 8

6 6. Section 8 of the principal Act is amended by providing that "And
7 any member of the Security Agencies" to be included after the words "Any
8 Police Officer".

Amendment of
Section 8,
Subsection 1

9 7. Section 8, subsection 1 of the principal Act is amended thus by
10 adding after the words "licenses issued by the Minister of the NOA and after the
11 words "as Minister" or the NOA and after the words altered by the Minister" or
12 the NCA.

Amendment of
Section 8,
Subsection 2

13 8. Section 8, subsection 2, is amended by adding the words lithe
14 Director-General of the NOA or to the Permanent Secretary by deleting the
15 previously existing words "Director-General" and after the next word
16 "Minister" by adding the word "NOA" after the word Minister.

Creation of a
new Section 9

17 9. The principal Act is amended by creating a new section 9 and new
18 subsections. They shall read thus section 9, subsection (a) "The National flag,
19 National Coat of Arms and the National Anthem are National Symbols, power
20 and authority that ought to be respected by every citizen and foreigners in
21 Nigeria". In this regard the citizens and foreigners in Nigeria are expected to:

22 Subsection (b)-(i) The National flag should be shown respect such
23 that no emblem should be flown or placed above it;

24 (ii) old and worn out flags should not be displayed publicly, rather
25 they should be destroyed and changed immediately;

26 (iii) when carried in procession, the bearer is positioned in front and
27 must be properly and neatly dressed;

28 (iv) the National flag should be hoisted and flown in a smart manner
29 accompanied with a ceremony at dawn in the morning and lowered similarly at
30 sunset in the evening that is 6am and 6pm respectively, especially by all

1 security agencies;

2 (v) the National flag can be laid out flat horizontally only on quite
3 rare occasions. The only time the flag is not hoisted at its peak is during State
4 funerals or memorial days when it is flown at half mast as a sign of respect;

5 (vi) When the National flag is in procession where there are two
6 flags with one being non-national, the National flag should always be in
7 front;

8 (vii) Only special dignitaries are allowed to display the National
9 flag in their vehicles and should be displayed at the right fender of the car
10 chassis or on the radiator cap;

11 (viii) Whenever the National Anthem is being played or sang,
12 especially during public functions, everybody present ought to stand up and
13 remain standing still until after the National anthem.

14 **10.** Section 10 of the principal Act is amended by increasing the
15 penalty by a person by deleting the sum of One Hundred Naira and
16 substituting it with Fifty Thousand Naira on conviction and in the case of
17 continuing offences by substituting ten Naira per day with Five Thousand
18 Naira. While for corporate organization that violates this Act, a fine of Five
19 Hundred Thousand Naira on conviction.

Amendment of
Section 10

20 **11.** This Bill may be cited as the Display and Use of the National
21 Flag and Coat of Arms Act (Amendment) Bill, 2017.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Display and Use of the National Flag, certain
Flags and the National Coat of Arms Act of 1960.

