

FLAGS OF NIGERIAN SHIPS ACT

ARRANGEMENT OF SECTIONS

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FLAGS OF NIGERIAN SHIPS ACT

An Act to make provision for flags to be worn by Nigerian ships other than those of the Nigerian Navy or Naval Reserve as evidence of Nigerian nationality, on all lawful occasions to be classed as ensigns and to be distinguished by their respective colours; and for other matters connected therewith.

[1968 No. 29.]

[14th May, 1968]

[Commencement.]

1. Ensigns for use on Nigerian ships

Flags as evidence of nationality of Nigerian ships, other than ships of the Nigerian Navy or Naval Reserve to be worn on all lawful occasion, shall be classed as ensigns distinguished by the colour of their respective grounds; and-

(a) for ships owned by any of the Governments of Nigeria, the flag shall have a blue ground with the national flag filling the top left-hand corner and quarter of the hoist, and be known as the blue ensign;

(b) for ships other than those owned by any of the Governments of Nigeria, the flag shall have a red ground with the national flag filling the top left-hand corner and quarter of the hoist, and be known as the red ensign,

and unless regulations made under this Act otherwise prescribe, a ship affected by this subsection shall display the ensign appropriate to be worn by it.

2. Naval white ensign

(1) It is hereby declared for the avoidance of doubt that the Minister of Defence may prescribe the flag to be worn by vessels of the Nigerian Navy or of the Naval Reserve and

until so prescribed that flag shall have a white ground, with the red cross of St. George quartered thereon and the national flag in the top left-hand quadrant; and the flag shall in either event be known as the white ensign and as such shall be worn by vessels aforesaid on such naval occasions as may, from time to time, be prescribed according to custom and usage.

(2) In this section, "**vessels**" includes craft of any description under naval control.

3. Offence of improper flying

The flying on land of any ensign for use under this Act, or otherwise than on board a ship for which it is prescribed, without the prior approval in the case of the blue or the red ensign, of the Minister of Transport, or in the case of the white ensign, of the Minister of Defence shall be an offence punishable on conviction by a fine of two hundred naira or by imprisonment for a term of twelve months, or both.

4. Regulations

The Minister of Transport may as respects the blue and the red ensigns, but not otherwise, make regulations prescribing-

- (a) recommended proportions for the ensigns, appropriate to the size of the ship;
- (b) special occasions on which the blue ensign may be worn by ships not owned by any of the Governments of Nigeria;
- (c) the form of warrant of authority with reference to the wearing of the blue ensign;
- (d) penalties for failure to comply with the requirements of any regulations made for the purposes of this Act, not exceeding a fine of one hundred Naira or imprisonment for a term of three months, or both.

5. Interpretation

In this Act, the expression "**ships**" means a craft of any size or shape constructed or used as the case may be, for the carriage on, through or under water, of persons or property whether designated as ships or as vessels for the purposes of the Merchant Shipping Act or of the Armed Forces Act as the case may require, or constructed or used for any other maritime purpose, and the expression includes craft capable of being used for carriage of persons or property or both, and-

[Cap. M11 Cap. A20.]

- (a) designed for use or used with hydrofoils; or
- (b) so constructed that in use on water the craft is separated therefrom by a cushion of air or other gaseous substance.

6. Short title

This Act may be cited as the Flags of Nigerian Ships Act and shall apply throughout the Federation