

THE NATIONAL FLAG (AMENDMENT) BILL

(No. XXII of 2017)

Explanatory Memorandum

The object of this Bill is to amend the National Flag Act 2015 –

- (a) to afford better legal protection to our national flag; and
- (b) to provide that on the occasion of Independence Day and Republic Day, or such other national event as may be prescribed, a person may exhibit a flag as the national flag or exhibit on any item or article an image of the national flag as the national flag –
 - (i) without that flag, or any image of the national flag, complying with the proportion of 3 horizontally to 2 vertically; but
 - (ii) subject to that flag, or image of the national flag, being displayed horizontally and bearing the colours red, blue, yellow and green in that order.

P. K. JUGNAUTH

*Prime Minister, Minister of Home Affairs, External
Communications and National Development Unit,
Minister of Finance and Economic Development*

08 December 2017

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
 2. Interpretation
 3. Section 2 of principal Act amended
 4. Section 5 of principal Act amended
 5. New section 5A inserted in principal Act
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A BILL

To amend the National Flag Act 2015

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the National Flag (Amendment) Act 2017.

2. Interpretation

In this Act –

“principal Act” means the National Flag Act 2015.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended –

- (a) by deleting the definition of “national flag” and replacing it by the following definition –

“national flag” –

- (a) means the national flag of Mauritius referred to in section 4; and
- (b) includes, for the purposes of section 5(1)(a) to (c), any picture, painting, drawing or photograph, or other visible representation of the national flag made of any substance or represented on any substance.
- (b) by inserting, in the appropriate alphabetical order, the following new definition –

“national event” means Independence Day and Republic Day or such other event as may be prescribed;

4. Section 5 of principal Act amended

Section 5 of the principal Act is amended, in subsection (4), by inserting, after the words “subsection (1)(d)”, the words “or (e)”.

5. New section 5A inserted in principal Act

The principal Act is amended by inserting, after section 5, the following new section –

5A. Derogation from section 5

Notwithstanding section 5(1)(d) and (e), a person may, on the occasion of a national event, exhibit a flag as the national flag or exhibit on any item or article an image of the national flag as the national flag –

- (a) without that flag, or any image of the national flag, complying with the proportion set out in section 4(1)(d); but
 - (b) subject to that flag, or image of the national flag, being displayed horizontally and bearing the colours red, blue, yellow and green in that order.
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