

Instrument:	A602	REGIONAL FLAG AND REGIONAL EMBLEM ORDINANCE	Gazette Number	Version Date
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		Long title	117 of 1997	01/07/1997
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Remarks:

This instrument was not given a chapter number in the Loose-leaf edition of the Laws of Hong Kong. An unofficial reference number, however, is assigned to this instrument in BLIS for identification purposes. This also enables users to carry out a search in relation to this instrument by reference to the unofficial reference number.

To provide for the use and protection of the regional flag and regional emblem and for incidental matters.

[1 July 1997]

(Originally 117 of 1997)

Section:	1	Short title	117 of 1997	01/07/1997
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- (1) This Ordinance may be cited as the Regional Flag and Regional Emblem Ordinance.
- (2) (Omitted as spent)

Section:	2	Interpretation	117 of 1997	01/07/1997
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- (1) In this Ordinance, unless the context otherwise requires-
"regional emblem" (區徽) means the regional emblem of the Hong Kong Special Administrative Region endorsed at the Fourth Plenum of the Preparatory Committee of the Hong Kong Special Administrative Region on 10 August 1996;
"regional flag"(區旗) means the regional flag of the Hong Kong Special Administrative Region endorsed at the Fourth Plenum of the Preparatory Committee of the Hong Kong Special Administrative Region on 10 August 1996;
"specifications" (規格) means the relevant specifications for the regional flag or the regional emblem set out in Schedules 1 and 2.
- (2) The specifications for the regional flag are set out in Schedule 1.
- (3) The specifications for the regional emblem are set out in Schedule 2.

Section:	3	Use of regional flag and regional emblem	117 of 1997	01/07/1997
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- (1) The Chief Executive may stipulate the organizations which must display or use the regional flag and the regional emblem, and the places at which, the occasions on which, the manner in which and the conditions under which, the regional flag and the regional emblem must be displayed or used. The Chief Executive may also authorize, restrict or prohibit the display or use of the regional flag, the regional emblem or their designs in the stipulation.
- (2) The arrangements for the display and use of the regional flag and regional emblem are set out in Schedule 3.
- (3) Schedule 4 specifies the conditions under which the regional flag is flown at half staff.

Section:	4	Damaged regional flag and regional emblem not to be used	117 of 1997	01/07/1997
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A regional flag or regional emblem which is damaged, defiled, faded or substandard must not be displayed or used.

Section:	5	Manufacture of regional flag and regional emblem regulated	117 of 1997	01/07/1997
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- (1) The regional flag must be manufactured in accordance with the specifications set out in Schedule 1.

- (2) The regional emblem must be manufactured in accordance with the specifications set out in Schedule 2.
- (3) If a person manufactures a regional flag or regional emblem other than in accordance with this section, the Secretary of Justice may apply to the District Court-
- (a) for an injunction to prohibit the manufacture of the flag or emblem that does not meet the specifications; and
 - (b) for an order of forfeiture of the flag, emblem and other materials used in the manufacture of the flag or emblem.
- (4) If the District Court is satisfied that the application is well founded, it may grant the injunction and order that the flag, emblem and other materials used in the manufacture of the flag or emblem be forfeited to the Government.

Section:	6	Prohibition on certain uses of the regional flag and regional emblem	117 of 1997	01/07/1997
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- (1) The regional flag, the regional emblem or their designs must not be displayed or used in-
- (a) trademarks or advertisements; or
 - (b) other occasions on which or places at which the display or use of the regional flag or regional emblem or their designs is restricted or prohibited under a stipulation made by the Chief Executive.
- (2) A person who without lawful authority or reasonable excuse displays or uses the regional flag, regional emblem or the design of the regional flag or regional emblem contrary to subsection (1) commits an offence and is liable on summary conviction-
- (a) for an offence against subsection (1)(a), to a fine at level 5; and
 - (b) for an offence against subsection (1)(b), to a fine at level 2.

Section:	7	Protection of the regional flag and regional emblem	117 of 1997	01/07/1997
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- A person who desecrates the regional flag or regional emblem by publicly and wilfully burning, mutilating, scrawling on, defiling or trampling on it commits an offence and is liable-
- (a) on conviction on indictment to a fine at level 5 and to imprisonment for 3 years; and
 - (b) on summary conviction to a fine at level 3 and to imprisonment for 1 year.

Section:	8	Copy of the regional flag or the regional emblem	117 of 1997	01/07/1997
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A copy of the regional flag or regional emblem that is not an exact copy but that so closely resembles the regional flag or regional emblem as to lead to the belief that the copy in question is the regional flag or regional emblem is taken to be the regional flag or regional emblem for the purposes of this Ordinance.

Section:	9	Stipulations not subsidiary legislation	117 of 1997	01/07/1997
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A stipulation made by the Chief Executive under this Ordinance is not subsidiary legislation. The stipulation must be published in the Gazette as soon as is reasonably practicable after it is made.

Schedule:	1	SPECIFICATIONS FOR THE REGIONAL FLAG OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA	117 of 1997	01/07/1997
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[sections 2 & 5]

The shape and colour on both sides of the regional flag are identical. The bauhinia design on both sides are identical. For the sake of convenience, only the specifications for the regional flag with the pole standing on its left are listed below. As regards the side of the regional flag with the pole standing on its right, it must be correspondingly produced.

I. The regional flag is in red, the chrominance value of which is identical with that of the national flag of the

People's Republic of China. The regional flag is rectangular in shape with its length/height ratio being 3 to 2. At the centre of the regional flag is a white 5-petal bauhinia in swaying motion. The diameter of its outer circle is $\frac{3}{5}$ of the regional flag's height. The petals are evenly arranged round the central point of the regional flag in a clockwise direction. Each petal bears a red 5-pointed star and a red style. The centre of the bauhinia lies on the central point of the regional flag. The case of the pole is in white. The design of the regional flag is shown in Figure 1.

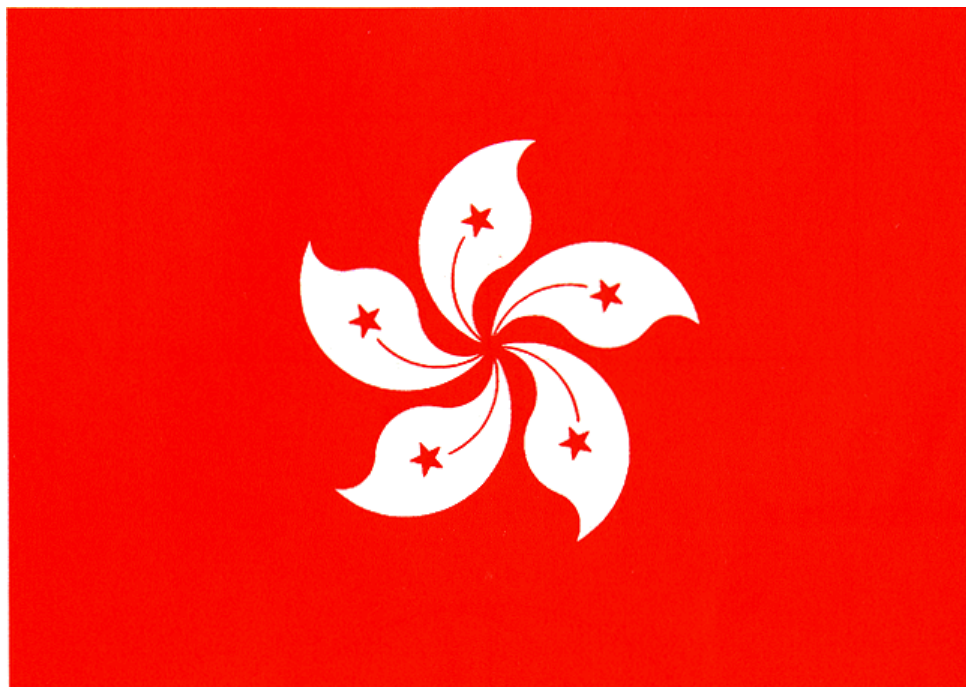


Figure 1 Design of the Regional Flag of the Hong Kong Special Administrative Region of the People's Republic of China

II. There are eight different standard sizes of the regional flag. Their measurements are as follows:

	Length (cm)	Height (cm)
No. 1	288	192
No. 2	240	160
No. 3	192	128
No. 4	144	96
No. 5	96	64
Car Flag	30	20
Flag for Signing Ceremony	21	14
Desk Flag	15	10

If regional flags of non standard sizes are required to meet special needs, they shall be of a scaled-up or a scaled-down size.

III. Format of the bauhinia design

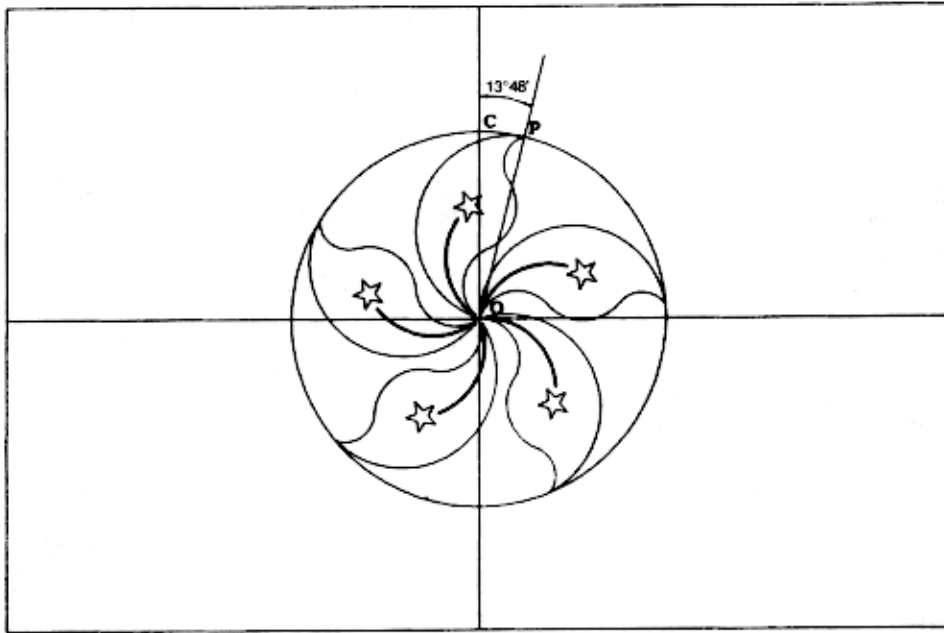
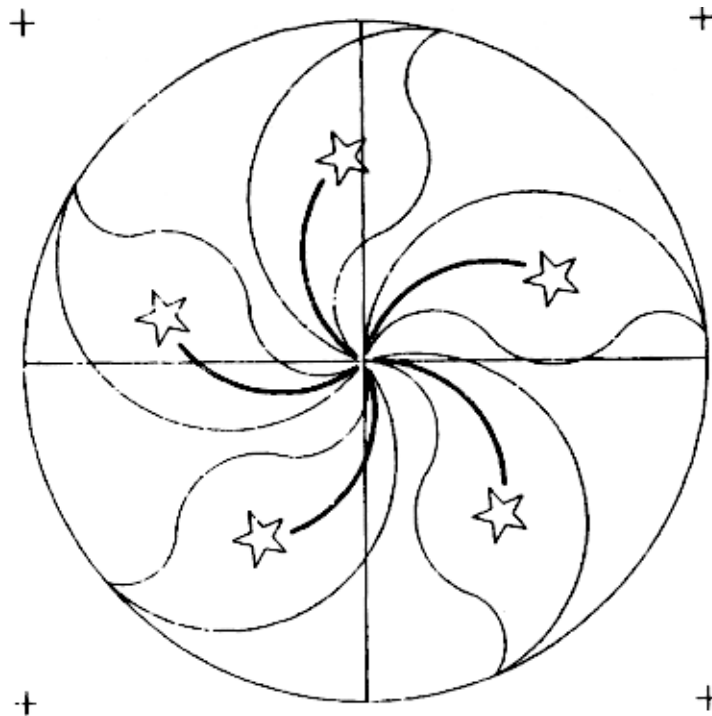


Figure 2 Format of the Bauhinia Design

IV. Format of the bauhinia design for plate making



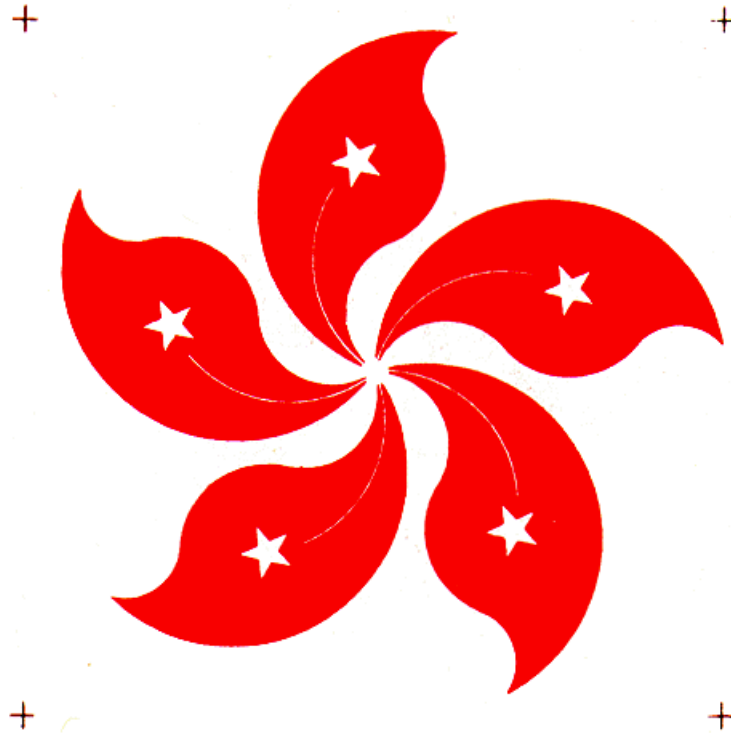


Figure 3 Format of the Bauhinia Design for Plate Making

Schedule:	2	SPECIFICATIONS FOR THE REGIONAL EMBLEM OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA	117 of 1997	01/07/1997
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[sections 2 & 5]

I. The regional emblem is round in shape. It bears a red circular edge, an outer ring marked with scripts, a red inner ring with a design of a swaying bauhinia with 5 star-shaped stamens.

II. The swaying bauhinia design at the centre of the inner ring of the regional emblem is white in colour. It is formed by 5 petals, each with a red 5-pointed star and a red style. The petals are evenly arranged around the central point of the regional emblem in a clockwise direction. The centre of the bauhinia lies on the central point of the regional emblem.

III. The outer ring marked with scripts lies between the red circular edge and the red inner ring. The words and characters, on a white background, are red in colour. Evenly arranged in the upper part of the outer ring are the Chinese characters "中華人民共和國香港特別行政區" in complex form and in the standard format for the regional emblem. The bottom of each character points towards the centre of the regional emblem. The English words "HONG KONG" in the standard format for the regional emblem are evenly arranged further down the outer ring. The top of each alphabet points towards the centre of the regional emblem. In between the Chinese characters and the English words is a 5-pointed red star on two sides. One point of both stars points towards the centre of the regional emblem. The Chinese characters, the English words and the 5-pointed stars are symmetrically arranged with reference to the centrelines of the regional emblem. The design of the regional emblem is shown in Figure 1.



Figure 1 The Design of the Regional Emblem of the Hong Kong Special Administrative Region of the People's Republic of China

IV. The chrominance value of the red colour of the regional emblem shall be identical with that of the national emblem of the People's Republic of China.

V. There are three standard sizes of the regional emblem. Their measurements are as follows:

Size 1	100 cm in diameter
Size 2	80 cm in diameter
Size 3	60 cm in diameter

If regional emblems of non-standard sizes are required to meet special needs, they shall be of a scaled-up or a scaled-down size.

VI. Format of the Regional Emblem



Figure 2 Format of the Regional Emblem

1. The width of the circular edge must be 1/100th of the diameter of the regional emblem.
2. The width of the outer ring marked with scripts must be 1/10th of the diameter of the regional emblem.
3. The supplementary circle surrounding the bauhinia must be 6/10ths of the diameter of the regional emblem.
4. The angle of the Chinese character region is 220 degrees. The height of the Chinese characters must be 7/10ths of the width of the outer ring marked with scripts.
5. The angle of the English word region is 80 degrees. The height of the English words must be 6/10ths of the width of the outer ring marked with scripts.
6. The angle of the 5-pointed star region is 30 degrees respectively. The diameter of the outer circle of the star shall be the same as that of the 5-pointed star of the bauhinia.

VII. Standard Format of the Chinese characters and the English words of the Regional Emblem

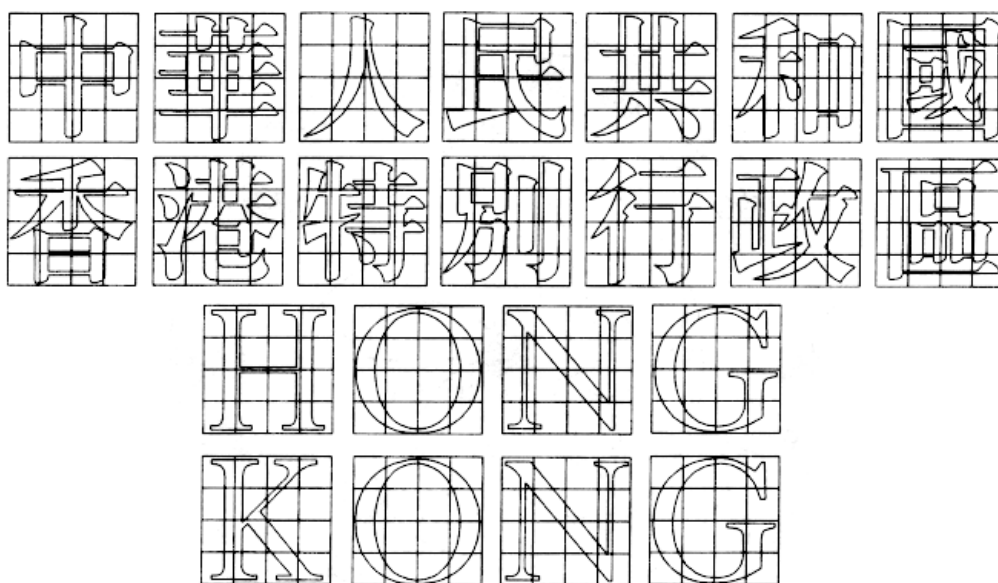


Figure 3 Standard Format of the Chinese characters and the English words of the Regional Emblem

VIII. The Sectional Drawing of the Regional Emblem

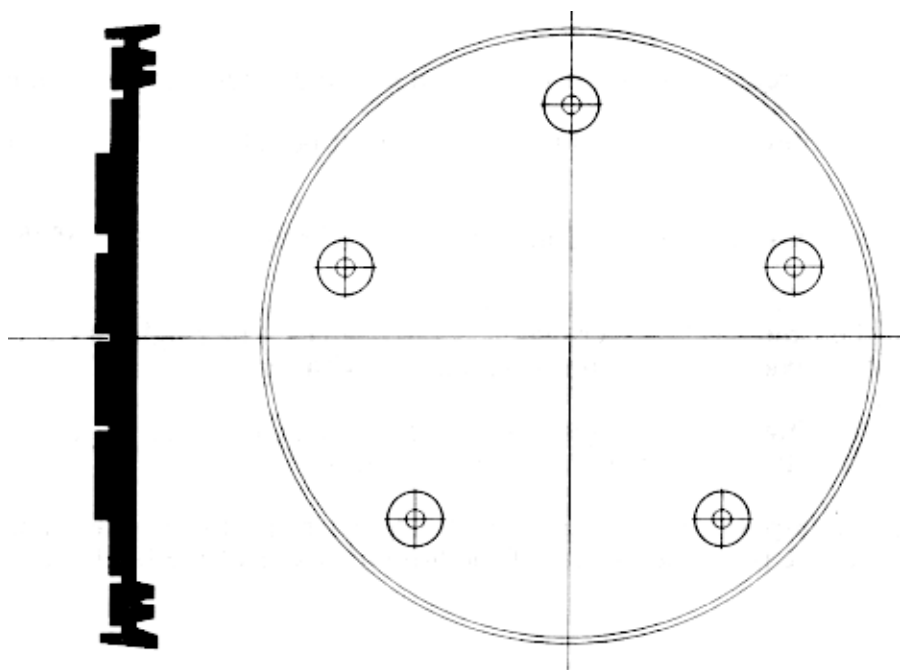


Figure 4 Sectional Drawing of the Regional Emblem

IX. Format of the Regional Emblem for Plate Making



Figure 5 Format of the Regional Emblem for Plate Making

Schedule:	3	ARRANGEMENTS ON THE DISPLAY AND USE OF THE REGIONAL FLAG AND REGIONAL EMBLEM	117 of 1997	01/07/1997
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[section 3]

(This is an adapted translation of the Provisional Arrangements on the Use of the Hong Kong Special Administrative Region Regional Flag and Regional Emblem passed by the Preparatory Committee on 10 August 1996)

To safeguard the dignity of the regional flag and the regional emblem of the Hong Kong Special Administrative Region and to ensure the correct use of the regional flag and the regional emblem, the following are the arrangements on the use of the regional flag and regional emblem.

I. The Hong Kong Special Administrative Region's regional flag and regional emblem are the symbol and ensign of the Hong Kong Special Administrative Region. Each and every Hong Kong resident and organization should respect and cherish the regional flag and the regional emblem.

II. In the Hong Kong Special Administrative Region, whenever the national flag is flown together with the regional flag, or the national emblem is displayed together with the regional emblem, the national flag or the national emblem is to occupy a more prominent position. When both the national flag and the regional flag are raised in procession, the national flag is to precede the regional flag. When the national flag is flown alongside the regional flag, the national flag is to be on the right and the regional flag on the left.

For the display of the national flag and regional flag inside a building, "left" and "right" sides of the backing wall are ascertained by reference to a person standing with his back to the wall and looking forward.

For the display of the national flag and regional flag outside a building, "left" and "right" sides of the building are ascertained by reference to a person standing in front of the building and looking towards the front entrance of the building.

Schedule:	4	CONDITIONS FOR FLYING THE REGIONAL FLAG AT HALF STAFF	117 of 1997	01/07/1997
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[section 3]

Flying regional flag at half staff

1. The regional flag must be lowered to half staff as a token of mourning when the following persons pass away-
 - (a) President of the People's Republic of China, Chairman of the Standing Committee of the National People's Congress, Premier of the State Council and Chairman of the Central Military Commission.
 - (b) Chairman of the National Committee of the Chinese People's Political Consultative Conference.
 - (c) Persons who have made outstanding contributions to the People's Republic of China as the Central People's Government advises the Chief Executive.
 - (d) Persons who have made outstanding contributions to world peace or the cause of human progress as the Central People's Government advises the Chief Executive.
 - (e) Persons whom the Chief Executive considers have made outstanding contributions to the Hong Kong Special Administrative Region or for whom he considers it appropriate to do so.
2. The regional flag may be flown at half staff as a token of mourning when the Central People's Government advises the Chief Executive that unfortunate events causing especially serious casualties occur or serious natural calamities have caused heavy casualties.
3. The regional flag may be flown at half staff as a token of mourning if the Chief Executive considers it is appropriate when unfortunate events causing especially serious casualties occur or serious natural calamities have caused heavy casualties.