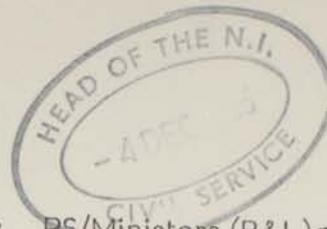


E. R.

CONFIDENTIAL



12/1/85
P015/2.

cc: PS/Ministers (B&L) -M
PS/PUS (B&L) -M
PS/Mr Bloomfield
Mr Barry
Mr Spence
Mr Merifield
Mr Beckett
Mr Ford
Miss Owens

PS/Secretary of State (B&L)-M

ASSEMBLY RESOLUTION - FLYING OF UNION FLAG FROM PARLIAMENT BUILDINGS

1. You may be already aware of the Assembly's recent resolution "calling for the Union flag to be flown each day on Parliament Buildings and for two Union flags to be flown on Assembly sitting days and such other days as are officially decreed for flags to be hoisted". The latter practice is the current procedure.
2. The circumstances pertaining to flying of the Union flag on official occasions, as promulgated by the Department of Environment, London, by Her Majesty's Command, are outlined in the Annex attached. The flying of the Union flag on Parliament Buildings on Assembly sitting days is in accordance with the Preface to the Assembly's Standing Orders (copy attached) which provides that in matters not covered by the Standing Orders the practice of the House of Commons, at Westminster, shall be followed.
3. There is no other requirement for flying the Union flag on any occasion other than the specified days but similarly there is nothing to prevent anyone from flying the Union flag at any time should they so desire (see para 5 of Annex).
4. The Assembly however has no jurisdiction over the administrative running of Parliament Buildings; this falls to DOE (NI) which is responsible for all maintenance and support services, including the flying of the Union flag. A copy of the Assembly's resolution has therefore been delivered to the Permanent Secretary of DOE with the request that the terms of the resolution be implemented.
5. As there are no strong arguments against acceding to the Assembly's request, officials recommend, subject to the Secretary of State's agreement, that DOE accede to the wishes of the Assembly in this matter.

Recommendation

6. I recommend that the Secretary of State agrees to the DOE taking such action as is necessary to meet the terms of the Assembly resolution on the flying of the Union flag on Parliament Buildings.

TREVOR PEARSON
Central Secretariat
4 December 1985

CONFIDENTIAL

Extract From NI Assembly

STANDING ORDERS
1982 .

PREFACE

PRACTICE OF UNITED KINGDOM HOUSE
OF COMMONS TO BE OBSERVED UNLESS
OTHER PROVISION IS MADE

In all cases not provided for hereinafter, or by sessional or other orders or practice of the Assembly, resort shall be had to the practice of the Commons House of Parliament of the United Kingdom of Great Britain and Northern Ireland in force for the time being, which shall be followed as far as it can be applied.

FLYING OF FLAGS IN NORTHERN IRELAND

Background Note

1. **PRESCRIBED DAYS**

(a) Regulations

Under regulations for the hoisting of the national flag, as promulgated by the Department of the Environment, London, by Her Majesty's Command, all Central Government buildings in the United Kingdom are required to fly the Union flag from 8.00 am till sunset on the days specified on the attached list (Tab A).

(b) Exclusions

The requirement to fly the flag does not extend to local Government for example -

- (i) District Councils' premises;
- (ii) Education and Library Boards, including schools and colleges etc;
- (iii) Health and Social Services Boards, including hospitals, homes for the elderly and health centres.

The decision to fly the Union flag rests solely with the individual managements concerned.

(c) Definition of a "Government Building"

According to DOE(L), the definition of a "Government Building" for the purposes of flying the Union flag is - irrespective of ownership, a building shall be so defined where the Civil Service is the major occupant.

2. **ADDITIONAL "SPECIAL" DAYS**

In addition to the prescribed days referred to above, Her Majesty may by special Command, instruct that flags should be flown. Such occasions are as follows:-

(a) Half Mast

- (i) From the announcement of death up to the funeral of the Sovereign, except on Proclamation Day, when they are hoisted right up from 11.00 am to sunset;

- (ii) The funeral of members of the Royal Family, subject to special Command by Her Majesty in each case;
- (iii) The funeral of Foreign Rulers, subject to special Command from Her Majesty in each case;
- (iv) The funeral of Prime Ministers and Ex-Prime Ministers of the UK;
- (v) Other occasions by special Command of Her Majesty.

(b) Other Occasions

By special Command of Her Majesty flags shall be flown on certain other occasions, recent examples of these were the birth of Prince William and Prince Harry.

(c) Rules when Prescribed Days coincide with Days when Flags are to be Half-Masted

Flags shall be flown -

- (i) although a member of the Royal family, or a near relative may be lying dead, unless by special Command of Her Majesty to the contrary;
- (ii) although it may be the funeral of a Foreign Ruler.

(d) Local Exceptions

Flags are half-masted at all RUC premises on the funeral of a member of the force who has been killed on active duty.

The notification of "special" days is by means of a telephone call from DOE(L) to Central Secretariat and by them to certain designated offices in Northern Ireland Departments.

3. ADMINISTRATIVE ARRANGEMENTS

(a) Prescribed Days

The list of prescribed days (Tab A) is the same every year with the only exception being Her Majesty's The Queen's Official Birthday, notification of which is received near the time. A copy of the list of prescribed days is issued every December to all Departments/Local Management. Responsibility for ensuring that the flying of the flags is observed is the Department/Local Managements of the buildings concerned.

(b) Additional Days

Notification is received from DOE(L) when flags are to be flown on the special occasions referred to above. Information is normally received at short notice by means of a telephone call the afternoon before. Central Secretariat then systematically notified all the designated individuals in NI Departments and outside bodies, in the case of weekends individuals are notified at home.

4. FLYING OF FLAGS AT WEEKENDS

Irrespective of whether prescribed or special flag-flying days occur at the weekend, the procedure outlined in paragraph 1(a) should be followed. That is - flags should be flown either full-mast or at half-mast from 8 am to sunset on the day appointed.

5. FLYING OF FLAGS - GENERAL

(a) Flying of Flags/Banners and the Union Flag

A number of organisations fly their own banner/flag, for example, the RUC banner, Short Bros company flag, the Queen's Award to Industry flag, and the IDB flag. It should be noted that there is no objection in principle to other flags/banners being flown providing it does not contravene the Flags and Emblems (Display) Act (NI) 1954 and that it does not take precedence over the Union flag ie - it is not flown in preference to and if flown simultaneously it should be at a lower level.

(b) The Flags and Emblems (Display) Act (NI) 1954

Contrary to popular belief this Act does not make it illegal to display the Tricolour or any other flag or national symbol in Northern Ireland. Section 2 of the Act however empowers a police officer in Northern Ireland to remove or to require the removal of, any emblem or flag (except the Union flag) in circumstances liable to give rise to a breach of the peace.

This Act is virtually redundant in that the RUC consider that they already have sufficient powers under the Public Order (NI) Order 1981 to deal with provocative conduct which might lead to a breach of the peace. No prosecutions have been brought under the Act of 1954 since 1969.

(c) The Official Flag/The Ulster Banner

The Official/National flag of Northern Ireland, as an integral part of the United Kingdom, is the Union Jack. The Ulster Banner, which was approved by the then Northern Ireland Government in 1953, is generally acknowledged as the Northern Ireland Flag and is widely used on festive and other appropriate occasions, such as sporting events (eg football matches) and Orangemen's celebrations.

(d) Northern Ireland Coat of Arms

Prior to the onset of Direct Rule 1972 the Northern Ireland Government had its own Armorial Bearings, which were granted in 1924/25, but since 1972 the Royal Arms had been used in all official publications and documents.

DAYS IN 1985 FOR HOISTING FLAGS ON GOVERNMENT BUILDINGS
IN NORTHERN IRELAND
FROM 8 am TILL SUNSET

1st January	New Year's Day
6th February	Her Majesty's Accession
19th February	Birthday of The Prince Andrew
10th March	Birthday of The Prince Edward
11th March	** Commonwealth Day
17th March	St Patrick's Day
7th April	Easter Sunday
21st April	Birthday of Her Majesty The Queen
2nd June	Coronation Day
10th June	Birthday of The Duke of Edinburgh
1st July	Birthday of The Princess of Wales
12th July	Battle of the Boyne Anniversary
4th August	Birthday of Her Majesty Queen Elizabeth The Queen Mother
15th August	Birthday of The Princess Anne
21st August	Birthday of The Princess Margaret
10th November	* Remembrance Day
14th November	Birthday of The Prince of Wales
20th November	Her Majesty's Wedding Day
25th December	Christmas Day

ALSO: Any day appointed for the Official Celebration of Her Majesty's Birthday.

* Remembrance Day is the second Sunday in November.
Flags should be flown right up all Day.

** Commonwealth Day is the second Monday in March.