

Naval Flags and Ensigns
A Note by the Naval Staff Directorate
Version 1



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Introduction

The Naval Staff Directorate (NSD) provides policy and legal advice on issues relating to Naval flags and special ensigns. This paper deals with those flag issues regularly raised by members of the public, and is designed to provide simple guidance, cataloguing the various types of flags and ensigns, the protocol surrounding them and exceptions to the rules. It provides answers to some frequently asked questions (see Annex A). Useful contacts and a glossary are also included (see Annexes B and C). Key sources of more detailed information are *The Queen's Regulations for the Royal Navy* (QRRN; BR 2), the Merchant Shipping Act 1995 and *Flags of All Nations* (BR 20).

British Naval Ensigns

"**Ensign** /'ensam, s(e)/n. banner or flag, esp. military or naval flag of nation"

A British naval ensign is a British national flag worn by a warship, a Government vessel or a civil vessel (at the stern, gaff or yardarm) and flown in appropriate shore establishments to indicate the British national character of the vessel/establishment as follows:

- Flags worn by commissioned vessels (and their tenders) of Her Majesty's Armed Forces, and flown in RN, Army, RAF and Joint Service shore establishments. In RN establishments, these are mostly White Ensigns.
- Flags worn by vessels in the service of Other Government Departments (OGDs) and Non-departmental Public Bodies (NDPBs) in the United Kingdom, and in the service of the Governments of the Crown Dependencies and the UK Overseas Territories. These are mostly defaced Blue Ensigns.
- Flags worn by civil vessels registered in the UK, the Crown Dependencies or the UK Overseas Territories, as well as unregistered vessels which are potentially eligible for registration in those places but do not have to be registered because of their small measurement. The norm is the plain Red Ensign but there are some specific authorisations of defaced Red Ensigns and of plain Blue Ensigns.
- Flags authorised to be worn as special ensigns by yachts owned by members of privileged yacht clubs (one authorisation of the White Ensign, the plain Blue Ensign, various defaced Blue Ensigns, various defaced Red Ensigns and one variation of the Royal Air Force Ensign). A list of privileged Yacht Clubs (including details of the associated special ensigns) is at Annex D.

An ensign is worn *by* a vessel or *flown in* a vessel. Ensigns are always *flown in* a shore establishment.

History of the Ensigns of the Royal Navy

The three-colour ensign system derives from the squadronal system of the Royal Navy. The Fleet was divided into three squadrons in 1627 under the tactical flags of Red, Blue and White Ensigns, in that order of seniority. The Red Ensign therefore remains the senior flag, the original national colour, while the Blue and White were variants created for organisational purposes. In 1653, squadronal seniority was changed to Red, White and Blue, an arrangement which held until 1864. In 1805, the Battle of Trafalgar

was fought under the White Ensign. Nelson, Vice Admiral of the White Squadron, decreed that all his ships should wear the White Colours probably because this flag served to distinguish them most effectively from those ships flying the French tricolour.



Under Queen Victoria, an Order in Council on 9 July 1864 discontinued the squadronal system. The White Ensign was assigned to the Royal Navy, the Blue Ensign to vessels employed by public offices (defaced with the badge or seal of the organisation which flew it), and the Red Ensign to all other British ships (this merely confirming the long-standing use of the Red Ensign as the proper national colours for British merchant ships). The reason for the assignment of the White Ensign to the Royal Navy was that it was impossible to withdraw the long-standing privilege of wearing the senior, Red Ensign from merchant ships; the Royal Navy took the next senior of the three Ensigns.

Subsequent authorisations of defaced Blue Ensigns for public offices in the United Kingdom were made by Admiralty Warrant. The use of similar defaced Blue Ensigns by Colonial Government vessels derived from the Colonial Naval Defence Act of 1865 and subsequent Admiralty instructions; Warrants were not issued.

Special Ensigns

The 1864 Order in Council also safeguarded the system whereby yachts owned by members of privileged yacht clubs might be authorised to wear special ensigns (i.e. national colours other than the plain Red Ensign that constitutes the norm for British ships). This special ensign régime was intended to recognise the contribution that well-regulated yacht clubs made to national defence through the promotion of seamanship skills. A list of privileged Yacht Clubs (including details of the associated special ensigns) is at Annex D. A similar list is published in *The Navy List* quinquennially.

The special ensigns in use are:

- The White Ensign. This has been the exclusive privilege of the Royal Yacht Squadron since 1842, when certain other clubs then enjoying the White Ensign privilege were obliged to transfer to plain Blue Ensign status.

- The plain Blue Ensign. Clubs enjoying the plain Blue Ensign privilege are senior to those enjoying the privilege of a defaced Blue Ensign or a defaced Red Ensign. A decision was made in 1924 that there would be no further authorisations of the privilege of the plain Blue Ensign. However, subsequent exceptions to this general rule have been made in respect of the RNVR Sailing Club (1957), the Royal Marines Sailing Club (1965) and the Royal Naval Sailing Association (1986).
- The Blue Ensign defaced with the badge of the club.
- The Red Ensign defaced with the badge of the club
- The Royal Air Force Ensign with a special defacement (the exclusive privilege of the Royal Air Force Sailing Association since 1986).

Authorisation of privileged status is made by General Warrant issued by the Secretary of State for Defence (and previously by the Admiralty). The General Warrant is the authority for the flying of the special ensign at the clubhouse and for matters such as the use of images of the special ensign on club notepaper, publicity material, articles of clothing, crockery etc. It does not create an automatic right for the special ensign to be worn by yachts owned by club members. For this, certain qualifying criteria must be met (see Qs 1-3 of Annex A) and the member must obtain a specific document of authorisation:

- Members of Clubs Located in the UK and the Channel Islands. An Individual Permit issued by the Flag Officers and Committee of the Club under the authority of the General Warrant.
- Members of Clubs Located in the UK Overseas Territories, Independent Commonwealth Nations, the Republic of Ireland and the Hong Kong Special Administrative Region of the People's Republic of China. An Individual Warrant issued on behalf of the Secretary of State for Defence.

Since 1952 it has been official policy, confirmed by the Admiralty Board in 1983 and in 1997, that new applications for privileged status (and General Warrants) will only be approved by the Secretary of State, under powers authorised in Section 2(3) of the MSA 1995, in very exceptional circumstances. Applications are considered on a case-by-case basis, but are seldom found to fulfil the necessary exceptional criteria.

JACKS

A Jack is a small flag flown on a staff at the bows of a vessel.



The Union Flag

The Union Flag is not itself an ensign, but it has been incorporated in the canton of all British ensigns since 1707, under the Treaty of Union. The current flag, dating from 1801, incorporating the crosses of Ss. George, Andrew and Patrick, is flown around the world representing wider British interests and historical connections.

The Union Flag should be flown only in commissioned vessels of HM Armed Forces, or in the former Royal Yacht BRITANNIA, which received special permission from the Secretary of State for Defence in December 2001 (See Q.10 of Annex A).

Union Flag flown as a Jack to identify a commissioned warship

The Union Flag flown as a Jack makes up, along with the White Ensign and White Masthead Pennant, the suit of colours of a commissioned warship of the Royal Navy.

The names Union Flag and Union Jack are from universal usage now deemed to be equally correct, except by the vexillologist, for whom a 'jack' commonly describes a small flag flown at the bows of a vessel. On 17/1/1887, Admiral Sir W M Dowell noted in a letter to the Secretary of the Admiralty that "the committee notice that throughout the tables (of flag dimensions) the term Union Flag has been substituted for Union jack, the latter being in the opinion of the committee the correct one". Also, 1SL in 1945 declared that "9,999 of 10,000 Britishers called it the Union Jack".

Her Majesty's Army Vessels (HMAVs) and , HM Air Force Vessels (HMAFVs) wore the Union Flag as their Jack. None of these vessels are currently in commission, so the privilege is dormant.

Jacks for Government Vessels

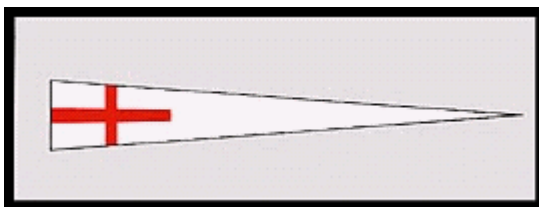
Those vessels employed by UK public offices or by the Governments of UK Overseas Territories that are authorised to wear a defaced Blue Ensign are also authorised to use a square version of their Blue Ensign as a Jack. Currently only the Royal Fleet Auxiliary, Royal Maritime Auxiliary Service, Marine Society and Northern Lighthouse Board vessels are believed to do this. The British Antarctic Survey and the Sea Cadet Corps use the Civil Jack (see below).

Civil Jack

Section 4(1)(a)(ii) of MSA 1995 permits (but in no way makes mandatory) the hoisting of the Union Flag surrounded by a white border on board any British ship. This white-bordered Union Flag, commonly known as the Merchant or Pilot Jack, may be considered the proper Civil Jack for all British ships and craft, but it is not in common use. Non-government vessels may fly instead an appropriate company or personal flag as a jack, so long as it does not contravene the provisions of Section 4(1)(b) and (c) of MSA 1995 in relation to flags reserved for Her Majesty's ships. In addition to Her Majesty's ships, certain government department vessels are entitled to wear different national jacks as part of their suit of colours.

Pennants

A pennant is a long and relatively narrow flag flown at sea from the masthead, top or yardarm.



The White Masthead Pennant is flown in all Her Majesty's ships and commissioned Establishments, unless displaced by the Royal Standard or the flag of a Senior Officer. The St. George's Cross appears at the hoist, with the remainder of the fly being plain white. The Blue and Red Pennants fell out of general use in the Royal Navy after 1864, when squadronal colours were discontinued. The Red Pennant is flown by HMS WARRIOR (1860-1904).

Historically, commissioned vessels of war maintained by Colonial Governments wore the Blue Ensign defaced with the Seal or Badge of the colony in the Fly, in company with a Blue Pennant. Today, the same applies for armed vessels in the service of the Government of a UK Overseas Territory.

Suits of Colours

"A suit of colours worn by Her Majesty's ships in commission comprises a White Ensign, Jack (Union Flag) and a White Masthead Pennant. These flags are the formal acknowledgement of the British national character, sovereignty and status of the ship in which they are flown."

Civil vessels wear the appropriate ensign, which is the only mandatory flag, and may additionally wear the Civil Jack. Recreational yachts owned by members of yacht clubs also wear the club burgee. This is a small triangular flag denoting club or squadron membership. Modern sailing vessels fly the burgee from the halyard under the starboard spreader on the mast; older vessels from the main masthead. A special ensign may never be worn without the associated club burgee or Flag Officer's flag.

Courtesy Ensigns

Her Majesty's ships do not normally hoist courtesy flags when entering, laying alongside or leaving Commonwealth or foreign ports, as the use of courtesy flags is exclusive to the merchant service. Commanding Officers however have discretion to fly a courtesy flag subject to diplomatic advice.

Merchant ships, when entering a foreign port, and during their stay in that port, customarily fly the civil colours of that country at the yardarm, and when leaving fly the civil ensign of the country to which they are immediately bound. This practice is followed by

Royal Fleet Auxiliary and Royal Maritime Auxiliary Service vessels when operating on their own and not in company with Her Majesty's ships or the warships of an allied nation.

The use of a Union Flag as a courtesy ensign by foreign vessels in UK ports is incorrect. The White Ensign is the appropriate masthead flag to be hoisted by Commonwealth and foreign warships during ceremonial exchanges while engaged in the United Kingdom. When dressing ship on ceremonial occasions, the correct masthead flag to be flown by Commonwealth or foreign civilian-manned government service vessels is the Blue Ensign, and the Red Ensign by Commonwealth or foreign merchant vessels.

Statutory Regulation of British National Colours

British national colours are symbols of national sovereignty and represent the state. They are regulated on a statutory basis and individual designs must be authorised either by or on behalf of the Sovereign

Part I of the Merchant Shipping Act 1995 regulates the use of British national colours afloat. Part I of the Act includes definitions of 'British ships' and 'UK ships' (the terms are not synonymous), identification of the Red Ensign "(without any defacement or modification)" as the flag "which every British ship is entitled to fly", the penalties for the hoisting of improper colours and the listing of occasions on which British national colours must be hoisted.

Against the norm of the Red Ensign, Section 2(3) of the Act states that other national colours may be worn "in pursuance of a warrant from Her Majesty or from the Secretary of State" or, in the case of defaced Red Ensigns for ships registered in the Crown Dependencies and the UK Overseas Territories, if "authorised or confirmed by Her Majesty by Order in Council."

Ensigns are maritime flags and their use ashore is generally incorrect. Custom allows the use of ensigns to mark commissioned establishments ashore, or the headquarters of bodies to which a special ensign has been granted (e.g. a customs house, or the clubhouse of a yacht club); and also for ensigns to be flown on cenotaphs or war memorials.

International Law recognises that every vessel afloat has a national character, and places duties on flag states to regulate and restrict the legitimate use of flags that indicate national character. The regulation of the use of British national colours is not therefore an outdated ritual, but Britain's duty as part of the international community.

For details of the conditions attaching to the use of a special ensign and on matters of protocol, please see the Frequently Asked Questions at Annex A below.

Current Use of the White Ensign



"The White Ensign is nothing else but the national colours of a ship of war in commission" *Admiralty Memorandum No. 397, 9 Sept 1931*

The design dates from 1702, when a large red cross was added to the plain white English ensign with the Cross of St. George in the canton, to help distinguish it from the plain French White Ensign. The Cross of St. George was replaced by the Union Flag in 1707. The modern design dates from 1801 when the Union Flag finally took its modern form.

The regulations in Chapter 91 of QRRN state that the White Ensign is authorised for use as the maritime flag of commissioned warships and ships' boats of the Royal Navy, the Royal Marines and the Royal Naval Reserve, as well as respective shore establishments. The White Ensign should not normally be flown ashore, other than in the naval environments listed below:

- Ministry of Defence Main Building
- Shore establishments commissioned as one of Her Majesty's ships
- Her Majesty's Naval Bases
- Royal Marines establishments
- Headquarters of a Flag Officer or other senior naval or Royal Marines officer
- Facilities occupied by naval lodger units in other government or service establishments
- Naval encampments, temporary airfields and disaster relief stations

- Patrol headquarters and other detached units, which although not independently commissioned, are in fact organised units of the Royal Navy
- Armed Forces Careers Offices

Use of the White Ensign is controlled by the Ministry of Defence.

Several non-Naval authorities and locations have the special privilege of using the White Ensign on appropriate occasions. A comprehensive list can be found in the latest amendment to QRRN. The key ones are:

- Trinity House Vessels: By authority of the Admiralty (letter dated 21 June 1894).
- The Cenotaph
- Admiralty Arch in Trafalgar Square: When London is 'dressed overall' for state occasions.
- MOD Main Building: Flown alongside the RAF Ensign, Army Flag, Union Flag and Joint Service Flag.
- St Martin's in the Fields Church: Designated Admiralty Church.
- Royal Yacht Squadron vessels and premises in Cowes: Authorised by Admiralty Warrant dated 1829.
- HMS BELFAST: Headquarters of the White Ensign Association.
- National Maritime Museum

Current Use of the Blue Ensign



The use of the undefaced Blue Ensign afloat is confined to:

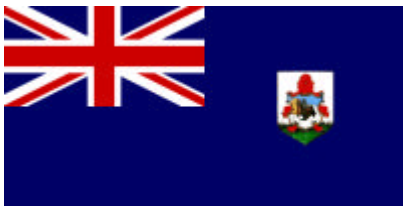
- Merchant Marine: British merchant ships and fishing vessels if the master holds a commission in the Royal Naval Reserve or enjoys similar status and is in possession of a Warrant from the Secretary of State for Defence and additional conditions are fulfilled (all as promulgated in Article 9154 of QRRN). See also Q9 at Annex A:
- Privileged Yacht Clubs: See Annex D.
- Royal Research Ships: Authorised in 1969. Each has an individual warrant from the Secretary of State for Defence.

Whenever a ship is on government non-commercial service, such as military operations (for example a ship taken up from trade), it will have a de facto right to wear the Blue Ensign without the issue of a special warrant.

The Blue Ensign – Defaced

Defaced Blue Ensigns are used afloat as follows:

- Jersey: A Warrant was issued on 14 August 1997 permitting all vessels employed by the States of Jersey to wear the Blue Ensign of the States of Jersey public departments.



- UK Overseas Territories: Blue Ensigns defaced with the appropriate badge or device are authorised for vessels belonging to, or in the service of, the Governments of the following:

Anguilla

Bermuda

British Virgin Islands

Cayman Islands

Falkland Islands

Gibraltar



Montserrat

Pitcairn Islands

St Helena and Dependencies

South Georgia and the South Sandwich Islands

Turks and Caicos Islands

- UK MOD, OGDs and NDPBs:

Authority is granted by Warrant by the Secretary of State for Defence for non-military vessels owned by or in the service of the MOD, together with those operated by certain OGDs and NDPBs in the UK to wear a Blue Ensign

defaced with the appropriate badge or device. Authority is granted to the parent department rather than the individual vessel. A full list can be found at Annex E.

- Privileged Yacht Clubs and Rowing Clubs:

A full list of privileged yacht clubs can be found at Annex D.

In addition, the Royal Chester Rowing Club owns a defaced Blue Ensign dating from the mid-1850s, having received royal patronage in June 1840.



Defaced Blue Ensign of the Royal Chester Rowing Club

Current Use of the Red Ensign



"The flag which every British ship is entitled to fly is the red ensign (without any defacement or modification" *Section 2(1), Merchant Shipping Act 1995*

The Red Ensign of Her Majesty's Fleet (undefaced) is authorised as the proper national colours for British ships which are not entitled by Warrant or any other legal authority to wear other national colours. The authority for the status of the Red Ensign is Section 2 of Merchant Shipping Act 1995. Section 1 of the same Act provides the authoritative definition of 'British ship'; unregistered vessels and craft (e.g. small motor boats, dinghies and canal craft) fall within the definition. It remains the senior British Ensign, and should not be regarded as in any respect inferior to special ensigns of privileged Yacht Clubs.

The undefaced Red Ensign is worn by the historic HMS WARRIOR (1860-1904) in Portsmouth.

Defaced Red Ensigns are used afloat as follows:

- Vessels Registered in the Isle of Man and Guernsey

Isle of Man Civil Ensign

Bailiwick of Guernsey Civil Ensign

- UK NDPBs:

The Royal National Lifeboat Institution

The Scout Association

The Corporation of Trinity House

North Wales and North West Sea Fisheries

Eastern Sea Fisheries

South Wales Sea Fisheries

The Maritime Volunteer Service

- Vessels registered in certain UK Overseas Territories:

Cayman Islands Civil Ensign. Authorised by Merchant Shipping Act 1988 (Cayman Islands) Order 1988 (Statutory Instrument 1998 No. 1841).

Falkland Islands Civil Ensign: Authorised by Merchant Shipping (Falkland Islands Colours) Order 1998 (Statutory Instrument 1998 No. 3147).

Gibraltar Civil Ensign: Authorised by Merchant Shipping (Gibraltar Colours) Order 1996 (Statutory Instrument 1996 No. 281).

- Privileged Yacht Clubs: See Annex D

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ANNEX A

Frequently Asked Questions and Useful Information

1. Which flag am I allowed to fly on my new yacht and, if my yacht is potentially eligible for a special ensign, how do I apply?
2. What are the qualifying criteria for the issue of an Individual Permit or Warrant for a special ensign, and what conditions govern the use of a special ensign once the Individual Permit or Warrant has been issued?
3. When does an individual permit or warrant cease to be valid?
4. I've lost my Individual Permit/Individual Warrant, and I want a new one.
5. Someone is flying an Ensign to which they are not entitled. Will you take action?
6. Why does the list of privileged yacht clubs include clubs located in independent Commonwealth countries, in the Republic of Ireland and in the Hong Kong Special Administrative Region of the People's Republic of China?
7. How should my Yacht Club go about applying for privileged status?
8. My privileged Club is combining with a non-privileged Club – does this affect my rights?
9. I was in the Royal Navy for 16 years and am now a master in the Merchant Navy. Is it true that I can hoist the Blue Ensign in any vessel under my command?
10. Why is (e.g. the former Royal Yacht Britannia) flying such-and-such a flag?

Frequently Asked Questions and Useful Information

Introduction

This Annex is designed to provide a quick source of reference for questions that crop up relatively frequently. Requests for more detailed information or advice should be addressed to the relevant desk officer (see Annex B).

Q.1. "Which flag am I allowed to fly on my new yacht and, if my yacht is potentially eligible for a special ensign, how do I apply?"

Any British ship or vessel can fly a Red Ensign. The flying of any other flag by a non-Government owned vessel must be justified through the holding of an appropriate warrant or authority.

A list of privileged yacht clubs whose members may apply for authorisation of an appropriate special ensign in respect of a vessel owned by them can be found at Annex D. Applications should be made as follows:

- **Clubs located in the UK and the Channel Islands** - apply to the Club's Flag Officers and Committee (through the Club Secretary) for an Individual Permit.
- **Clubs located in the UK Overseas Territories, independent Commonwealth nations, the Republic of Ireland and the Hong Kong Special Administrative Region of the People's Republic of China** - apply through the Club Secretary to the HQ Administration Officer of 2nd Sea Lord's Department at Portsmouth (see Annex B) for an Individual Warrant.

Q.2. "What are the qualifying criteria for the issue of an Individual Permit or Warrant for a special ensign, and what conditions govern the use of a special ensign once the Individual Permit or Warrant has been issued?"

The basic requirements for the issue of an Individual Permit or Warrant are:

- The owner must be a Commonwealth citizen.
- The owner must be a current member of a privileged club listed in the Navy List (See Annex D).
- The vessel must be registered as a British ship under current merchant shipping legislation applicable to the United Kingdom, the Crown Dependencies or the United Kingdom Overseas Territories.
- The vessel must measure not less than 2 tons gross if registered by tonnage, or 7 metres if registered by length.

More detailed eligibility criteria and conditions of use are:

- The vessel must be used exclusively for the private and personal purposes of the owner.
- The vessel for which the warrant or permit is issued must not be used for any professional, commercial or business purpose.
- The name of the vessel must not incorporate a name, product or trademark used for business or commercial purposes.
- A vessel which is never used for cruising (e.g. a houseboat) is ineligible for a Permit or Warrant.
- The special ensign may only be worn if the owner or user of a vessel is on board, or in effective control of the yacht when she is in harbour or at anchor near the shore.
- The Club's burgee (or a Flag Officer's flag) must be flown whenever the special ensign is worn.
- The Permit or Warrant must always be carried on board when a special ensign is worn.

- If the vessel is sold or the registration details are changed or the owner ceases to be a member of the privileged Club, or dies, the Permit or Warrant should be returned immediately to the issuing authority.

A vessel which is the property of a limited company may be issued with a Permit or Warrant provided that the provisions above are complied with, and that the user is a Commonwealth citizen and a member of a privileged Yacht Club.

A vessel for which a Permit or Warrant has been issued may be chartered or loaned, but the Permit or Warrant must be held in abeyance by the Secretary of the Club until the vessel is returned to the owner.

Multiple owners are permitted provide they are all Commonwealth citizens and members of the same privileged Yacht Club.

Permits or Warrants are not transferable between separate privileged Yacht Clubs.

Permits or Warrants become invalid if any of these conditions cannot be met.

Q.3. "When does an individual permit or warrant cease to be valid?"

When a yacht is sold or ceases to be registered as a British ship, or its owner dies or ceases to be a member of a privileged yacht club, then the yacht's Permit or Warrant must be sent immediately to the Secretary of the Club for cancellation. In the case of a Warrant (privileged clubs located in the UK Overseas Territories, independent Commonwealth nations (or countries), the Republic of Ireland and the Hong Kong Special Administrative Region of the People's Republic of China only), the Secretary is to forward it for cancellation to the issuing authority at the Ministry of Defence.

Similarly, if the name of the yacht is changed, or any alterations are made in her which affect the register, then the permit or warrant should be returned either to the Secretary of the Club, or to the Ministry of Defence, for correction or re-issue.

Individual Permits and Warrants have no validity when the yacht is:

- Not under the effective control of the owner specified in the Permit/Warrant
- Used for any professional, business or commercial purpose

On the disbanding of a Yacht Club, it is necessary for the authorities responsible for the Club's former administration immediately to return the warrant to the issuing authority at the Ministry of Defence.

Q.4. "I've lost my Individual Permit/Individual Warrant, and I want a new one."

The owner should return to whoever granted the original Individual Permit (the Club Secretary acting on behalf of the Flag Officers and Committee) or Individual Warrant (HQ Administrative Officer of 2nd Sea Lord's Department) and ask for a replacement.

(N.B. Applications for the replacement of a General Warrant should be sent to NS(Sec)6.)

Q.5. "Someone is flying an Ensign to which they are not entitled. Will you take action?"

Section 4 of Merchant Shipping Act 1995 provides that if improper colours are hoisted on board a British ship, the master of the ship, or the owner of the ship (if on board), and every other person hoisting them shall be guilty of an offence and liable to a fine. Furthermore, any commissioned naval or military officer or customs and excise officer or consular officer has the authority to board the ship and seize and take away the improper colours. Any colours so seized are forfeited to Her Majesty.

Improper colours in this context include:

- Colours that are of an authorised design but are quite obviously improper on a civilian vessel (e.g. the Union Flag, the White Ensign except in pursuance of a Permit issued to a member of the Royal Yacht Squadron, the White Pennant).
- Colours that are of an authorised design but that are rendered improper by the absence of an Individual Permit or Warrant (e.g. the plain Blue Ensign and the various authorised defacements of the Red and Blue Ensign). Potential offences here might involve:

- Simple failure to have the Individual Permit or Warrant on board a vessel that has been issued such authorisation.
- Hoisting of colours of an authorised design that are not authorised for the vessel (e.g. a person who is not a member of the Royal Bombay Yacht Club hoisting the special ensign of that club).
- Colours that are of unauthorised design but that resemble those of Her Majesty (e.g. Cornish Ensign, EU Ensign).

Overall control of the privilege of wearing special ensigns remains with the MOD, but Yacht Clubs are themselves self-policing. In April 1985, the RYA was appointed to act as the MOD's agent in the administration and policing of a new system whereby General Warrants are issued to entitled UK and Channel Islands Yacht Clubs who are in turn authorised to issue Permits to their members. Previously, Individual Warrants had been issued to all entitled yachts.

Any transgressions in terms of protocol by a member of a yacht club should be raised with the Commodore of the Club who bears the responsibility for the day to day administration surrounding the wearing of the Club's special ensign. Alternatively, the RYA can be contacted (see Annex B). The MOD should become involved as a last resort if issues cannot be resolved without recourse to a higher authority.

Q.6. "Why does the list of privileged yacht clubs (see Annex D) include clubs located in independent Commonwealth countries, in the Republic of Ireland and in the Hong Kong Special Administrative Region of the People's Republic of China?"

This dates back to the times when all ships in the British Commonwealth and Empire were 'British ships' registered (or potentially eligible for registration) under merchant shipping legislation enacted at Westminster. Thus the special ensign régime included privileged yacht clubs in the Dominions and colonies. Independent Commonwealth nations now enact their own merchant shipping legislation and a yacht registered in, for example, Bombay or Auckland cannot be treated as a 'British ship' for special ensign purposes. However, Admiralty decisions made at the time that Eire left the Commonwealth (1949) and India became a republic within the Commonwealth (1950) established firm precedents for continuing the privileged status of these clubs and for the issue of Individual Warrants for the appropriate special ensigns in respect of yachts that are owned by members of such clubs and are registered on the UK Register.

Q.7. "How should my Yacht Club go about applying for privileged status?"

Applications for General Warrants (new or replacement) are dealt with by NS(Sec)6. An application for a new General Warrant is only likely to succeed in very exceptional circumstances.

Several reasons exist for the reluctance of successive Admiralty Boards to make new grants of privileged status:

- The original purpose of the special ensign régime (i.e. the promotion of seamanship skills) is now of very limited relevance to national defence.
- In view of the increasing popularity of yachting, indiscriminate approval of new General Warrants could result in a situation whereby the wearing of special ensigns ceases to be a privilege and becomes the norm.

Applications should be made in writing either to the Naval Staff or to the Secretary of State for Defence, the latter being the ultimate arbiter, giving the background and supporting circumstances for the application.

Q.8. "My privileged Club is combining with a non-privileged Club – does this affect my rights?"

A full amalgamation of a non-privileged yacht club with a privileged club, implying a change of name, would require the club to apply for a new General Warrant (see Q.7 above), listing all the details and implications of any proposed merger.

According to decisions by successive Admiralty Boards, exceptional circumstances would be needed to justify the grant of a new General Warrant to what would be in effect a new club, although all issues will be taken into consideration. Any issue of a new warrant is likely to depend upon conditions imposed by the Ministry of Defence to protect the seniority of the original privileged yacht club in any new combined form.

Q.9. "I was in the Royal Navy for 16 years and am now a master in the Merchant Navy. Is it true that I can hoist the Blue Ensign in any vessel under my command?"

British merchant ships and fishing vessels are eligible to wear a Blue Ensign if the master holds a commission in the Royal Naval Reserve or enjoys similar status and is in possession of a Warrant from the Secretary of State for Defence and additional conditions are fulfilled (all as promulgated in QRRN 9154.1). This eligibility does not apply to recreational vessels or yachts, for which applications to fly a privileged ensign should be made in the normal way through membership of an appropriate yacht club.

- Merchant Vessels on Parts I, III and IV of the Register. The master must be an officer of the rank of lieutenant RN/RNR or Captain RM/RMR or above in the Royal Fleet Reserve or the maritime forces of a United Kingdom Overseas Territory or Commonwealth country of which Her Majesty is Head of State, or an officer on the Active or Retired Lists of any branch of the maritime reserve forces of these countries or territories.
- Vessels on Part II of the Register. This part of the Register is reserved for fishing vessels. The skipper must comply with the same criteria set out above. However, the crew must contain at least four members, each of whom fulfils at least one of the following criteria:

Royal Naval or Royal Marines reservists or pensioners
Reservists or pensioners from a Commonwealth monarchy or United Kingdom Overseas Territory
Ex-ratings or Royal Marines who have completed twenty years service in the Reserves
Members of the Royal Fleet Reserve

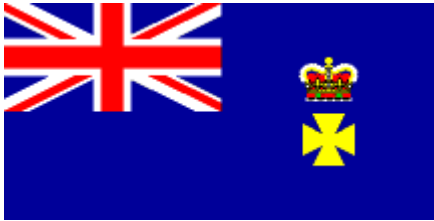
Q.10 "Why is (e.g. the former Royal Yacht Britannia) flying such-and-such a flag?"



There are a number of exceptions to the rules, some of which are listed in the main text. The former Royal Yacht Britannia is a good example because in recent times the Naval Staff has received a number of enquiries about the flags that she wears.

The BRITANNIA wears a number of flags, and several have aroused queries. In particular, exception was perhaps unsurprisingly taken to her wearing a Scottish Saltire and an EU flag, and these have subsequently been removed on MOD advice.

The BRITANNIA is not a commissioned RN ship, and so cannot fly the White Ensign, under Article 9132 of QRRN. Special permission was sought to fly the White Ensign. However, the recent revision of QRRN Chapter 91 concluded that instances for approval for the White Ensign to be flown ashore should be clearly set out, but that no new applications for use in civil locations would be granted, and the application was refused. The BRITANNIA was however granted a special dispensation in 1998 by the Secretary of State for Defence, by formal Warrant, to fly the Union Flag as a Jack. The Secretary of State has this power under section 2(3)(a) of the MSA 1995, but the BRITANNIA's privilege, like that of the Royal Yacht Squadron with respect to the White Ensign, is expected to remain unique.



The BRITANNIA also wears a defaced Blue Ensign, the special ensign of the Royal Forth Yacht Club, of which the owning organisation is a member.

ANNEX B

Useful Contacts

NS(Sec) 6, Naval Staff Directorate

Responsible for providing policy and advice on RN Flags and Ensigns

NS(Sec)6,

Ministry of Defence,

5th Floor, Zone K, Desk 8,

Main Building,

Whitehall,

London SW1A 2HB

Tel:020 7218 2538 (MOD Internal: 82538MB)

FLEET-N6(c4 pol)SO1, Director Naval Communication & Information Systems (DNCIS)

DNCIS is responsible for advice on RN Flag Ceremonial and Chapter 91 of QRRN (amendments)

Jago Road,

PP73A,

HM Naval Base,

PORTSMOUTH,

PO1 3LU

Tel: 02392 720777

HQ Administration Officer, 2nd Sea Lord's department

Deals with Individual Warrant applications for members of yacht clubs located in the UK Overseas Territories, independent Commonwealth nations, the Republic of Ireland and the Hong Kong Special Administrative Region of the People's Republic of China

2SL/CNH HQ,

Room 003,

Victory Building,

HM Naval Base,

Portsmouth,

Hants. PO1 3LS

Tel: 02392 727221

Yeoman of the Admiralty

Responsible for advice on ceremonial aspects relating to flags and ensigns

C Department,

Room G34,

HMS COLLINGWOOD,

Fareham,

Hants. PO14 1AS

Tel: 01329 332644

DNRESSOPS, Directorate of Naval Reserves
Responsible for advice to members of the Royal Naval Reserve
South Terrace,
Via PP72,
HM Naval Base,
Portsmouth. PO14 3LS
Tel: 023 9272 7671

Pip Wallis/Edmund Whelan, Royal Yachting Association
Can offer legal advice, and deal with queries about ensign protocol
Tel: 02380 627 467

ANNEX C

GLOSSARY OF FLAG-RELATED TERMS AND ACRONYMS

Breadth

Traditional RN unit of measurement for flags, in 1664 estimated to have been 11 inches, but now equating to 9 inches or approximately 23 cm

Burgee

Small triangular flag denoting membership of an individual yacht club, worn in company with a special ensign. Flown from the halyard under the starboard spreader on the mast in modern vessels; in older vessels from the main masthead.

Canton

A canton is any quarter of an Ensign/Flag identified by the Upper/Lower and Hoist/Fly

Crown Dependencies

The Crown Dependencies are the Isle of Man and the Bailiwicks of Guernsey and Jersey

Defaced

An honourable term which denotes placing a seal or badge of a territory or authority upon an otherwise plain flag

Ensign

See above

Fly

The part of a flag farthest from the mast

Gaff

Spar or pole to which the head of the fore-and-aft sail is bent

Hoist

The part of a flag nearest the mast

Jack

A small flag flown at the bows of a vessel. See above

MOD

Ministry of Defence

MSA

Merchant Shipping Act

NDPB

Non-departmental Public Body

NSD

Naval Staff Directorate

OGD

Other Government Department

Overseas Territories

The UK Overseas Territories are Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn Islands, Saint Helena and Dependencies, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands.

Pennant

See above

Privileged Yacht Club

See above and Annex D

QRRN

Queen's Regulations for the Royal Navy

RFA

Royal Fleet Auxiliary

RYA

Royal Yachting Association

Special Ensign

See above and Annex D

Suit of Colours

See above

Tender

Vessel attending another one and carrying stores etc.

Yard

Spar or pole slung across a mast for a sail to hang from

Yardarm

Either end of a ship's yard

ANNEX D**Privileged Yacht Clubs**

Yachts belonging to members of the following Yacht Clubs may, subject to certain conditions, obtain an Individual Permit or Warrant to wear a Special Ensign.

Contact details for these yacht clubs can be obtained through the RYA (See Contacts)

White Ensign

Royal Yacht Squadron, Castle Cowes

Blue Ensign

Royal Albert Yacht Club, Portsmouth

Royal Perth Yacht Club of Western Australia, Australia

Royal Brighton Yacht Club, Australia

Royal Port Nicholson Club, New Zealand

Royal Cinque Ports Yacht Club, Dover

Royal Queensland Yacht Squadron, Australia

Royal Cruising Club, Bosham

Royal Scottish Motor Yacht Club, Glasgow

Royal Dorset Yacht Club, Weymouth

Royal Solent Yacht Club, Isle of Wight

Royal Engineer Yacht Club, Chepstow

Royal South Australian Yacht Squadron, Australia

Royal Geelong Yacht Club, Australia

Royal Southern Yacht Club, Southampton

Royal Gourock Yacht Club, Gourock

Sussex Motor Yacht Club, Brighton

Royal Highland Yacht Club, Argyll

Royal Sydney Yacht Squadron, Australia

Royal Marines Yacht Club, Poole

Royal Temple Yacht Club, Ramsgate

Royal Melbourne Yacht Club, Australia

Royal Thames Yacht Club, London

Royal Motor Yacht Club, Poole

Royal Western Yacht Club of England, Plymouth

Royal Naval Sailing Association, Gosport

Royal Western Yacht Club of Scotland, Helensburgh

Royal Naval Volunteer Reserve Yacht Club, London

Royal Yacht Club of Tasmania, Australia

Royal New Zealand Yacht Squadron, New Zealand

Royal Yacht Club of Victoria, Australia

Royal Northern and Clyde Yacht Squadron, Rhu

Blue Ensign Defaced by Badge of Club

Royal Air Force Yacht Club, Southampton

Little Ship Club, London

Royal Akarana Yacht Club, New Zealand

Little Ship Club (Queensland Squadron), Australia

Aldeburgh Yacht Club, Aldeburgh

Royal London Yacht Club, Isle of Wight

Royal Anglesey Yacht Club, Anglesey

Royal Malta Yacht Club, Malta

Royal Armoured Corps Yacht Club, Wareham

Medway Cruising Club, Gillingham, Kent

Army Sailing Association, Aldershot

The Medway Yacht Club, Rochester

Royal Artillery Yacht Club, Warminster

Royal Mersey Yacht Club, Birkenhead

Royal Australian Navy Sailing Association, Australia

Royal Motor Yacht Club of New South Wales, Australia

Bar Yacht Club, London

Royal Nassau Sailing Club, Bahamas

Royal Bermuda Yacht Club, Bermuda

Royal North of Ireland Yacht Club, N. Ireland

Royal Bombay Yacht Club, India

Royal Northumberland Yacht Club, Blyth

Royal Burnham Yacht Club, Burnham-on-Crouch

Royal Ocean Racing Club, London

Royal Channel Islands Yacht Club, Jersey

Old Worcesters Yacht Club, Crockerhill

City Livery Yacht Club, Bromley

Parkstone Yacht Club, Poole

Conway Club Cruising Association, Totternhoe

Royal Southampton Yacht Club, Southampton

Royal Corinthian Yacht Club, Burnham-on-Crouch

Royal Plymouth Corinthian Yacht Club, Plymouth

Royal Cornwall Yacht Club, Falmouth

The Poole Harbour Yacht Club, Poole

The Cruising Association, London

Poole Yacht Club, Poole

Cruising Yacht Club of Australia, Australia

Royal Prince Alfred Yacht Club, Australia

Royal Forth Yacht Club, Edinburgh

Royal Prince Edward Yacht Club, Australia

Royal Freshwater Bay Yacht Club of Western Australia, Australia

Severn Motor Yacht Club, Broomhall

Royal Gibraltar Yacht Club, Gibraltar

Sussex Yacht Club, Shoreham by Sea

Royal Harwich Yacht Club, Ipswich

Royal Suva Yacht Club, Fiji

Royal Hong Kong Yacht Club, Hong Kong

Thames Motor Yacht Club, East Molesey

The House of Lords Yacht Club, London

Royal Torbay Yacht Club, Torquay

Household Division Yacht Club, London

Royal Ulster Yacht Club, Bangor, N. Ireland

Royal Irish Yacht Club, Dun Laoghaire, Co. Dublin

Royal Welsh Yacht Club, Caernarfon

Royal Jamaica Yacht Club, Jamaica

Royal Yorkshire Yacht Club, Bridlington

Red Ensign Defaced by Badge of Club

Brixham Yacht Club, Brixham

Royal Norfolk and Suffolk Yacht Club, Lowestoft

Royal Dart Yacht Club, Kingswear

Royal St. George Yacht Club, Dun Laoghaire, Co. Dublin

Royal Fowey Yacht Club, Fowey

St. Helier Yacht Club, St Helier

Royal Hamilton Amateur Dinghy Club, Bermuda

Royal Victoria Yacht Club, Isle of Wight

House of Commons Yacht Club, Eastleigh

Royal Windermere Yacht Club, Bowness on Windermere

Lloyd's Yacht Club, London

Royal Yachting Association, Eastleigh

Royal Lyminster Yacht Club, Lyminster

West Mersea Yacht Club, Colchester

Royal Air Force Ensign with Special Defacement

Royal Air Force Sailing Association, Oakham

ANNEX E

Organisations in the UK Warranted Defaced Blue Ensigns

Vessels owned by or in the service of the following UK organisations enjoy the privilege of wearing the Blue Ensign defaced with the appropriate badge or device under the provisions of Warrants issued by the Admiralty (until 1964) or the Secretary of State for Defence:

Aberdeen Harbour Board

Natural Environment Research Council (Vessels Engaged on British Antarctic Survey Work)

Government Service Blue Ensign

Global Marine Systems Ltd.

Combined Cadet Force (Naval Sections)

HM Coastguard

HM Customs and Excise

Irish Lights

Lloyd's of London

Marine Society

Mersey Docks and Harbour Company

Metropolitan Police

Department of the Environment, Food and Rural Affairs (formerly MAFF)

Ministry of Defence Police

Northern Lighthouse Board

Port of London Authority

Royal Engineers Diving Training Wing

Royal Fleet Auxiliary

Royal Logistics Corps

Royal Hospital School

Royal Maritime Auxiliary Service

Sea Cadet Corps

Scottish Executive Rural Affairs Department