

L.N. 54 of 1968

FLAGS OF NIGERIAN SHIPS DECREE 1968 (1968 No. 29)

Flags of Nigerian Ships (Other than Naval Vessels) Regulations 1968

Commencement : 14th May 1968

In exercise of the powers conferred by section 4 of the Flags of Nigerian Ships Decree 1968 and of all other powers enabling him in that behalf, the Federal Commissioner for Transport hereby makes the following regulations :

1.—(1) These regulations may be cited as the Flags of Nigerian Ships (Other than Naval Vessels) Regulations 1968 and shall come into force on the commencement of the Decree.

Citation, etc.

(2) Nothing in these regulations shall apply to naval vessels, and with that exception they shall apply to all Nigerian ships and have effect throughout the Federation.

2.—(1) The size of an ensign appropriate to the length of the ship on which it is to be worn shall correspond with the following ship measurements varying according to free-board and design ; and subject thereto and to the provisions of paragraph (3) of this regulation, the length of an ensign shall be twice its breadth.

Sizes of
ensigns.

(2) The breadth of the ensign in the case of a ship in length,—

- (a) not less than 800 feet, shall be 9 feet ;
- (b) less than 800 feet but not less than 400 feet, shall be $7\frac{1}{2}$ feet ;
- (c) less than 400 feet but greater than 200 feet, shall be $4\frac{1}{2}$ feet ;
- (d) up to and including 200 feet, shall be 3 feet.

(3) In the application of this regulation to ships in the category of harbour craft, the ensign may be of a size proportionate to that of the harbour craft on which, in any particular case, it is to be worn.

3.—(1) If the Chief of Naval Staff by warrant under his hand in the form prescribed in paragraph (2) of this regulation authorises a Nigerian ship to wear the blue ensign that ensign may be worn instead of the red ensign on all customary occasions where the officer commanding the ship and at least one other officer of the ship's company are officers on the Nigerian Navy Retired or Emergency List, or they are officers on the Active or Retired List of the Nigerian Navy Reserve ; and where a warrant is issued under this regulation the fact of such issue shall be noted in the ship's Articles of Agreement.

Special
provisions as
to the blue
ensign.

(2) The form of warrant of authority as evidence of entitlement to fly the blue ensign shall be in the following terms or as near thereto as the occasion may require, that is to say—

"To

(Name of vessel)

The Chief of Naval Staff of the Nigerian Navy has been pleased to approve the flying of the blue ensign on board the above vessel on all lawful occasions and until countermanded; And this notification of approval shall serve as your warrant of authority, and be noted in the ship's Articles of Agreement accordingly.

DATED at Lagos this 14th day of May 1968.

Chief of Naval Staff

4. The failure without reasonable excuse to comply with the size of an ensign appropriate to the length of the ship shall be an offence punishable on conviction by a fine of not less than £10 or more than £50; and for the purpose of this regulation an excuse shall be reasonable if the person charged with the offence satisfies the court that because of a low freeboard or the general nature of the superstructure and design of the ship the ensign would trail in water or otherwise be liable to material damage.

MADE at Lagos this 14th day of May 1968.

J. S. TARKA,
Federal Commissioner for Transport