

SCHEDULES

SCHEDULE 3

BRITISH SHIPS

Penalty for carrying improper colours

- 3 (1) If any of the following colours, namely—
- (a) any distinctive national colours except—
 - (i) the red ensign,
 - (ii) the Union flag (commonly known as the Union Jack) with a white border, or
 - (iii) any colours authorised or confirmed under paragraph 2(3)(b) above; or
 - (b) any colours usually worn by Her Majesty's ships or resembling those of Her Majesty, or
 - (c) the pendant usually carried by Her Majesty's ships or any pendant resembling that pendant,
- are hoisted on board any British ship without warrant from Her Majesty or from the Secretary of State, 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.
- (2) A person guilty of an offence under sub-paragraph (1) above shall be liable—
- (a) on conviction on indictment, to a fine;
 - (b) on summary conviction, to a fine not exceeding the statutory maximum.
- (3) If any colours are hoisted on board a ship in contravention of sub-paragraph (1) above, any of the following, namely—
- (a) any commissioned naval or military officer,
 - (b) any officer of customs and excise, and
 - (c) any British consular officer,
- may board the ship and seize and take away the colours.
- (4) Any colours seized under sub-paragraph (3) above shall be forfeited to Her Majesty.
- (5) In this paragraph—
- “colours” includes any pendant;
 - “commissioned naval officer” means a commissioned officer in Her Majesty's navy on full pay and “commissioned military officer” has a corresponding meaning.