



department for  
**culture, media  
and sport**

*The Governance of Britain*

## FLAG FLYING

### Consultation

Altering the current guidance on flying  
the Union Flag from UK Government  
buildings.

July 2007

Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

# Contents

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Section 1: Introduction .....	4
Section 2: Flag flying - proposals for consultation .....	6
Section 3: Consultation questions .....	8

# Section 1: Introduction

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- 1.1 This consultation paper concerns altering the current guidance on flying the Union Flag from UK Government buildings and the Palace of Westminster.
- 1.2 This consultation follows the publication of the Green Paper on *The Governance of Britain* by the Secretary of State for Justice and Lord Chancellor on Tuesday 3 July 2007. A copy of the Green Paper can be found at [www.justice.gov.uk/publications/governanceofbritain.htm](http://www.justice.gov.uk/publications/governanceofbritain.htm)
- 1.3 The Green Paper set out important and wide-ranging proposals for constitutional reform. In the Green Paper, the Government said that it would consult on altering the current guidance on flying the Union Flag from Government buildings. Whilst this consultation is taking place UK Government department buildings in England, Scotland and Wales have been given the freedom to fly the Union Flag when they wish.
- 1.4 Symbols can help to embody a national culture and citizenship. The Union Flag is one of the most recognisable symbols of the UK. But while in other countries, such as France and the United States, the national flag is regarded as a source of pride, in recent years the Union Flag has all too often become the preserve of political extremists, a symbol of discord rather than harmony. It is critical that this symbol is not hijacked by those who seek to work against the fundamental British values of tolerance and mutual respect.
- 1.5 Regulations on the use of the Union flag may be playing some role in explaining why it is not as widely flown in the UK as other national flags are abroad. The Government has already removed many of the previous restrictions on flag flying by private citizens, by enabling the flag of the Commonwealth, the United Nations and the European Union to be flown without requiring advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. But at present there are only 18 fixed days each year on which the Union Flag may be flown on Government buildings in England. These restrictions are clearly tighter than those used in many other countries.
- 1.6 The Green Paper indicated separate consultation on a number of other proposals. This paper set out DCMS' proposals on flag flying on UK Government buildings.

## Consultation:

- 1.7 The Department welcomes comments on the proposals for altering the current guidance for flying the Union Flag from Government buildings. This paper will be of particular interest to:

**Consultation on altering the current guidance on flying the Union Flag from Government buildings**

- Local authorities and other organisations who choose to follow the current guidance.

- 1.8 This consultation document covers UK Government buildings in England, Scotland and Wales. It does not extend to Scottish Executive, Welsh Assembly buildings. The Scottish Parliament and Welsh Assembly government are responsible for policy on flag flying from their own buildings.
- 1.9 Arrangements for flag flying in Northern Ireland are governed by specific legislation –The Flags (NI) Order 2000 and the Flags Regulations (NI) 2000. The UK Government has no plans to change these arrangements, and this consultation does not therefore extend to Northern Ireland.
- 1.10 When responding please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents, your position within it and, where applicable, how the views of members were assembled.
- 1.11 The deadline for responses is Friday 9 November 2007. We have extended the consultation period by four weeks to take account of the holiday period.
- 1.12 Please send your comments in writing or by email to:
- Samantha Turner  
Royal Estate, Ceremonial and Learning Branch  
Architecture and Historic Environment Division  
Department for Culture, Media and Sport  
2-4 Cockspur Street, London, SW1Y 5DH  
[Samantha.turner@culture.gsi.gov.uk](mailto:Samantha.turner@culture.gsi.gov.uk)
- 1.13 A summary of responses will be published within one month of the closing date for consultation. All information in responses, including personal information, may be subject to publication or disclosure under Freedom of Information legislation. If a correspondent requests confidentiality, this cannot be guaranteed and will only be possible if considered appropriate under the legislation. Any such request should explain why confidentiality is necessary. Any automatic confidentiality disclaimer generated by your IT system will not be considered as such a request unless you specifically include a request, with an explanation, in the main text of your response. If you have any questions or complaints about the process of consultation on this paper please contact:
- Liz Sweet  
Consultation Co-ordinator  
Strategy Division  
Department for Culture, Media and Sport  
2-4 Cockspur Street, London  
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[liz.sweet@culture.gsi.gov.uk](mailto:liz.sweet@culture.gsi.gov.uk)

## Section 2: Flag flying – proposals for consultation

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### Current situation:

- 2.1 The current protocol on flag flying on UK Government buildings in England is set out in paragraph 2.3 below. However, James Purnell, the Secretary of State for Culture, decided on Thursday 5 July 2007 to give UK Government department buildings in England, Scotland and Wales the freedom to fly the Union Flag at all times, whilst we are consulting on whether the current arrangements should be changed, in line with the proposals in the green paper.

### Background:

- 2.2 There is no law in England for flying national flags on land, there is only protocol.
- 2.3 Currently Government buildings only fly the Union Flag on flag flying days specified by the DCMS. In England there are currently 16 appointed days each year when the flag is flown by command of Her Majesty the Queen taken on advice of her Ministers (plus State Opening of Parliament and Prorogation of Parliament). This includes St George's Day (23 April) when the St George's flag accompanies the Union Flag and on Europe Day (9 May) when the European Flag is flown with the Union Flag. *A full list is attached at annex A.* The Union Flag is also flown to mark State Visits or the death of Heads of State. Government Departments with an interest in Merchant Navy Day are also able to fly the Red Ensign on Merchant Navy Day (3 September) but not with the Union Flag.
- 2.4 UK Government buildings in Scotland and Wales fly flags on the same days as in England, with the exception of St George's Day, which is replaced by St Andrew's Day in Scotland and St David's Day in Wales.
- 2.5 Individuals, local authorities and other organisations may fly the Union Flag whenever they wish, subject to compliance with any local planning requirement. However many local authorities and other organisations choose to follow the Government practice.
- 2.6 Flags are normally flown on buildings from sunrise to sunset. Flags may be flown by night as well as by day as long as they are properly illuminated at all times.

**Consultation on altering the current guidance on flying the Union Flag from Government buildings**

- 2.7 The Green Paper stresses the importance of the Union Flag to national identity and introduces the possibility of wider flag flying on Government buildings following a consultation process.
- 2.8 The Green Paper states that we want to consult on giving departments more flexibility over when they fly the Union Flag. The purpose of this consultation is therefore to gather views on when it would be appropriate to fly the Union Flag. Although, the guidance only applies to Government buildings, the impact of the changes is likely to affect other public organisations, because many choose to follow the Government guidelines.

## Section 3: Consultation questions

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3.1 The Department would be particularly interested in views on these questions.

Q1. Do you think the Union flag should be flown on Government buildings?

1. all of the time
2. on working days only
3. on an increased number of fixed flag flying days
4. on the current 18 fixed flag flying days (see attached list)
5. or should departments be able to choose when to fly the Union flag.

Q2. If only the current number of fixed flag flying days is increased which extra days should be included?

Q3. Do you have any other comments on flying the Union Flag on Government buildings?