

MEMORANDUM EC (00) 58

TO: EXECUTIVE COMMITTEE

FLAGS

1. During suspension the Secretary of State gave a direction to all Departments in relation to the flying of the Union flag on government buildings during the 2000 calendar year. In common with all departmental policies on transferred matters, Departments would continue to implement that existing policy unless directed otherwise by their Ministers.
2. The Secretary of State has also now acquired powers under the Flags (Northern Ireland) Order 2000 to make regulations relating to the flying of flags on government buildings in Northern Ireland. The Secretary of State's power to regulate flag flying is confined to government buildings occupied wholly or mainly by members of the Northern Ireland Civil Service. That Order, which has not yet commenced, requires the Secretary of State to consult the Northern Ireland Assembly about the proposed regulations and to have regard to the Belfast Agreement. In presenting the Order to Parliament, the Secretary of State also indicated his expectation that the Executive Committee should attempt to agree a position on the flying of flags on government buildings and that his intervention would come about only if it was clear that no agreement was likely.
3. The sequence of events would be:

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- (i) the Executive Committee would seek to agree a common position;
- (ii) if the Executive Committee failed to agree, the Secretary of State would, at the request of the Executive Committee or otherwise, exercise his powers under the Flags Order;
- (iii) draft regulations would be referred to the Assembly through the Speaker;
- (iv) the Assembly would, within the time specified by the Secretary of State, report the views expressed in the Assembly on the proposed regulations;
- (v) it is for the Assembly to decide how to express its views. Options would include a motion in the Assembly or reference to a committee of the Assembly whose report would be debated in the Assembly;
- (vi) the Secretary of State would then be required to consider the views of the Assembly expressed within that period. He would have no obligation to consider views expressed outside that period;
- (vii) draft regulations would be laid before both Houses of Parliament and require affirmative resolution of each House;
- (viii) the draft regulations would be accompanied by a copy of any report of the Assembly considered by the Secretary of State, and a statement of any changes to the draft regulations detailing changes as a result of that report.

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4. The completion of this procedure would inevitably take some time, over which Ministers would have no control. A number of flag flying days would occur before the regulations could be approved. The first day scheduled for the flying of the Union flag on government buildings in Northern Ireland post restoration is 2 June. There are three further days scheduled in June and seven before the end of August 2000. The 2000 schedule is attached.
5. The Executive Committee is invited to note the position and discuss future arrangements for the flying of flags at government buildings in Northern Ireland.

EXECUTIVE COMMITTEE SECRETARIAT

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**DAYS IN 2000 FOR HOISTING FLAGS ON
GOVERNMENT BUILDINGS IN NORTHERN IRELAND
FROM 8.00 AM UNTIL SUNSET**

1 January	New Year's Day
6 February	Her Majesty's Accession
19 February	Birthday of The Duke of York
10 March	Birthday of The Earl of Wessex
13 March	* Commonwealth Day
17 March	St Patrick's Day
21 April	Birthday of Her Majesty The Queen
23 April	Easter Sunday
9 May	Ø Europe Day
2 June	Coronation Day
10 June	Birthday of The Duke of Edinburgh
17 June	# The Queen's Official Birthday
12 July	Battle of the Boyne Anniversary
4 August	Birthday of Her Majesty Queen Elizabeth The Queen Mother
15 August	Birthday of The Princess Royal
21 August	Birthday of The Princess Margaret
12 November	** Remembrance Day
14 November	Birthday of The Prince of Wales
20 November	Anniversary of Her Majesty's Wedding
25 December	Christmas Day

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Also:

- # The day appointed for the official celebration of Her Majesty's Birthday
- * Commonwealth Day is the second Monday in March
- ** Remembrance Sunday is the second Sunday in November. Flags should be flown right up all day
- Ø Those buildings with two flagpoles should arrange to fly the Union flag and the European flag

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