

Western Australia

Flags Protection Bill 2003

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Western Australia

LEGISLATIVE ASSEMBLY

(Introduced by Hon. C. J. Barnett MLA)

Flags Protection Bill 2003

A Bill for

An Act to declare a certain Flag to be the Western Australian State Flag and to make provision for the protection of the Australian National Flag and the Western Australian State Flag.

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Flags Protection Act 2003*.

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. Interpretation

5 In this Act —

“**the Australian National Flag**” means the flag declared to be the Australian National Flag by section 3 of the *Flags Act 1953* of the Commonwealth;

10 “**the Western Australian State Flag**” means the flag declared to be the Western Australian Flag by section 4 of this Act.

4. The Western Australian State Flag

The flag described in Part 1 of the Schedule, being the flag a reproduction of which is set out in Part 2 of the Schedule, is declared to be the Western Australian State Flag.

15 **5. The Australian National Flag and the Western Australian State Flag protected**

Any person who burns, damages or otherwise physically mistreats —

- 20 (a) the Australian National Flag;
(b) the Western Australian State Flag; or
(c) a reproduction of either the Australian National Flag or the Western Australian State Flag,

in a manner that —

- 25 (d) is intended to cause offence to any person or persons; or
(e) could reasonably be expected to cause, and which in fact causes, offence to any other person or persons,

is guilty of an offence.

Penalty: \$6,000.



Schedule

Part 1

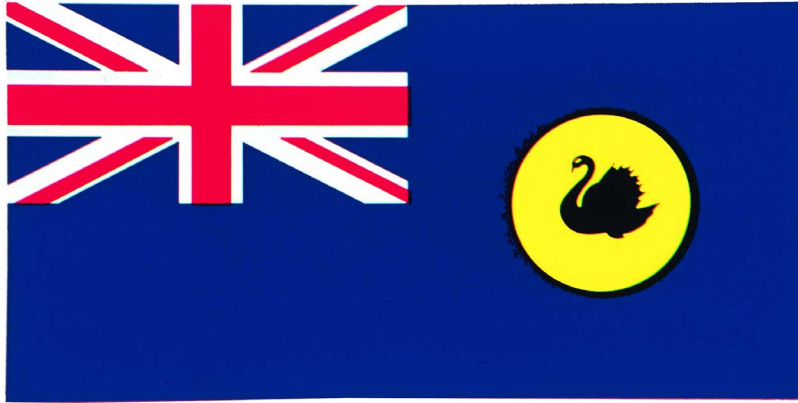
The Western Australian State Flag is a blue flag with —

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- (a) the Union flag occupying the upper quarter next to the staff;
and
- (b) depicting a black swan (*cygnus atratus*) on a circle of yellow situated centrally in the fly (the half of the flag furthest from the staff) and facing the staff.

Schedule

Part 2



THE WESTERN AUSTRALIAN STATE FLAG