

區旗及區徽條例

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REGIONAL FLAG AND REGIONAL EMBLEM ORDINANCE

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香港特別行政區

1997年第117號條例



行政長官
董建華
1997年7月1日

本條例旨在就使用及保護區旗、區徽的事宜及就附帶事宜訂定條文。

[1997年7月1日]

由臨時立法會制定。

1. 簡稱及生效日期

- (1) 本條例可引稱為《區旗及區徽條例》。
- (2) 本條例自1997年7月1日起實施。

2. 釋義

- (1) 在本條例中，除文意另有所指外——
“規格”(specifications)指分別列於附表1及2的區旗或區徽規格；
“區旗”(regional flag)指1996年8月10日香港特別行政區籌備委員會第四次全體會議通過的香港特別行政區區旗；
“區徽”(regional emblem)指1996年8月10日香港特別行政區籌備委員會第四次全體會議通過的香港特別行政區區徽。
- (2) 區旗的規格列於附表1。
- (3) 區徽的規格列於附表2。

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 117 OF 1997



TUNG Chee-hwa
Chief Executive
1 July 1997

An Ordinance to provide for the use and protection of the regional flag and regional emblem and for incidental matters.

[1 July 1997]

Enacted by the Provisional Legislative Council.

1. Short title and commencement

- (1) This Ordinance may be cited as the Regional Flag and Regional Emblem Ordinance.
- (2) This Ordinance comes into operation on 1 July 1997.

2. Interpretation

- (1) In this Ordinance, unless the context otherwise requires—
“regional emblem”(區徽) means the regional emblem of the Hong Kong Special Administrative Region endorsed at the Fourth Plenum of the Preparatory Committee of the Hong Kong Special Administrative Region on 10 August 1996;
“regional flag”(區旗) means the regional flag of the Hong Kong Special Administrative Region endorsed at the Fourth Plenum of the Preparatory Committee of the Hong Kong Special Administrative Region on 10 August 1996;
“specifications”(規格) means the relevant specifications for the regional flag or the regional emblem set out in Schedules 1 and 2.
- (2) The specifications for the regional flag are set out in Schedule 1.
- (3) The specifications for the regional emblem are set out in Schedule 2.

3. 區旗、區徽的使用

(1) 行政長官可規定必須展示或使用區旗及區徽的機構、場合及場所，以及展示或使用區旗及區徽所必須遵從的方式及條件。行政長官亦可以規定授權、限制或禁止展示或使用區旗、區徽、區旗圖案或區徽圖案。

(2) 區旗及區徽的展示及使用辦法列於附表3。

(3) 附表4指明區旗下半旗的情況。

4. 不得使用破損的區旗、區徽

不得展示或使用破損、污損、褪色或不合規格的區旗或區徽。

5. 區旗、區徽的製造受規管

(1) 區旗必須按照附表1所列規格製造。

(2) 區徽必須按照附表2所列規格製造。

(3) 如任何人並非按照本條的規定製造區旗或區徽，律政司司長可——

(a) 向區域法院申請禁制令，禁止製造不合規格的旗或徽；及

(b) 向區域法院申請命令，沒收該等旗、徽及製造該等旗或徽所用的其他材料。

(4) 區域法院如信納申請是有充分根據的，可發出上述禁制令，並命令將該等旗、徽及製造該等旗或徽所用的其他材料沒收並歸予政府。

6. 禁止將區旗、區徽用作某些用途

(1) 區旗、區徽、區旗圖案或區徽圖案不得展示或使用於——

(a) 商標或廣告；或

3. Use of regional flag and regional emblem

(1) The Chief Executive may stipulate the organizations which must display or use the regional flag and the regional emblem, and the places at which, the occasions on which, the manner in which and the conditions under which, the regional flag and the regional emblem must be displayed or used. The Chief Executive may also authorize, restrict or prohibit the display or use of the regional flag, the regional emblem or their designs in the stipulation.

(2) The arrangements for the display and use of the regional flag and regional emblem are set out in Schedule 3.

(3) Schedule 4 specifies the conditions under which the regional flag is flown at half staff.

4. Damaged regional flag and regional emblem not to be used

A regional flag or regional emblem which is damaged, defiled, faded or substandard must not be displayed or used.

5. Manufacture of regional flag and regional emblem regulated

(1) The regional flag must be manufactured in accordance with the specifications set out in Schedule 1.

(2) The regional emblem must be manufactured in accordance with the specifications set out in Schedule 2.

(3) If a person manufactures a regional flag or regional emblem other than in accordance with this section, the Secretary of Justice may apply to the District Court—

(a) for an injunction to prohibit the manufacture of the flag or emblem that does not meet the specifications; and

(b) for an order of forfeiture of the flag, emblem and other materials used in the manufacture of the flag or emblem.

(4) If the District Court is satisfied that the application is well founded, it may grant the injunction and order that the flag, emblem and other materials used in the manufacture of the flag or emblem be forfeited to the Government.

6. Prohibition on certain uses of the regional flag and regional emblem

(1) The regional flag, the regional emblem or their designs must not be displayed or used in—

(a) trademarks or advertisements; or

(b) 行政長官以規定限制或禁止展示或使用區旗、區徽、區旗圖案或區徽圖案的其他場合或場所。

(2) 任何人如未經合法授權或並無合理辯解，而在違反第(1)款的規定下，展示或使用區旗、區徽、區旗圖案或區徽圖案，即屬犯罪，一經循簡易程序定罪——

(a) 就第(1)(a)款的罪行，可處第5級罰款；及

(b) 就第(1)(b)款的罪行，可處第2級罰款。

7. 保護區旗、區徽

任何人公開及故意以焚燒、毀損、塗劃、玷污、踐踏等方式侮辱區旗或區徽，即屬犯罪——

(a) 一經循公訴程序定罪，可處第5級罰款及監禁3年；及

(b) 一經循簡易程序定罪，可處第3級罰款及監禁1年。

8. 區旗、區徽的複製本

如有區旗或區徽的複製本並非與區旗或區徽完全相同，但其相似程度足以使人相信它就是區旗或區徽，則就本條例而言，該複製本被視為是區旗或區徽。

9. 規定並非附屬法例

行政長官根據本條例作出的規定並非附屬法例，而該等規定作出後，必須於合理的切實可行範圍內盡快在憲報刊登。

附表 1

[第 2 及 5 條]

中華人民共和國香港特別行政區
區旗規格

區旗的形狀、顏色兩面相同，旗上紫荊花兩面相對。為便利計，本附表僅以旗桿在左之一面為說明之標準。對於旗桿在右之一面，均應對應製作。

(b) other occasions on which or places at which the display or use of the regional flag or regional emblem or their designs is restricted or prohibited under a stipulation made by the Chief Executive.

(2) A person who without lawful authority or reasonable excuse displays or uses the regional flag, regional emblem or the design of the regional flag or regional emblem contrary to subsection (1) commits an offence and is liable on summary conviction—

(a) for an offence against subsection (1)(a), to a fine at level 5; and

(b) for an offence against subsection (1)(b), to a fine at level 2.

7. Protection of the regional flag and regional emblem

A person who desecrates the regional flag or regional emblem by publicly and wilfully burning, mutilating, scrawling on, defiling or trampling on it commits an offence and is liable—

(a) on conviction on indictment to a fine at level 5 and to imprisonment for 3 years; and

(b) on summary conviction to a fine at level 3 and to imprisonment for 1 year.

8. Copy of the regional flag or the regional emblem

A copy of the regional flag or regional emblem that is not an exact copy but that so closely resembles the regional flag or regional emblem as to lead to the belief that the copy in question is the regional flag or regional emblem is taken to be the regional flag or regional emblem for the purposes of this Ordinance.

9. Stipulations not subsidiary legislation

A stipulation made by the Chief Executive under this Ordinance is not subsidiary legislation. The stipulation must be published in the Gazette as soon as is reasonably practicable after it is made.

SCHEDULE 1

[ss. 2 & 5]

SPECIFICATIONS FOR THE REGIONAL FLAG OF THE HONG KONG SPECIAL
ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

The shape and colour on both sides of the regional flag are identical. The bauhinia design on both sides are identical. For the sake of convenience, only the specifications for the regional flag with the pole standing on its left are listed below. As regards the side of the regional flag with the pole standing on its right, it must be correspondingly produced.

I. 區旗旗面為紅色，其色度值以中華人民共和國國旗紅為標準。區旗旗面呈長方形，其長與高為三與二之比，區旗旗面中繪有一朵白色動態五瓣紫荊花，其外圍直徑為區旗旗高的五分之三。各花瓣圍繞區旗旗面中心點順時針平均排列，在每片花瓣中均有一顆紅色五角星及一條紅色花蕊，紫荊花中心點位於區旗旗面中心，旗桿套為白色。區旗圖案見圖1。

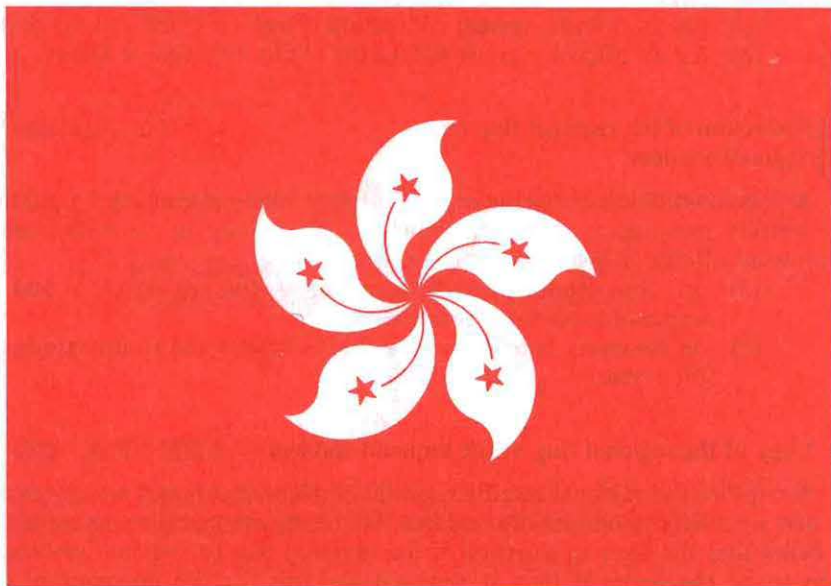


圖1 中華人民共和國香港特別行政區區旗圖案

II. 區旗旗面通用尺寸定為如下八種：

	長(厘米)	高(厘米)
1號	288	192
2號	240	160
3號	192	128
4號	144	96
5號	96	64
車旗	30	20
簽字旗	21	14
桌旗	15	10

因特殊需要製作不同尺寸區旗時，均按通用尺寸成比例地放大或縮小。

I. The regional flag is in red, the chrominance value of which is identical with that of the national flag of the People's Republic of China. The regional flag is rectangular in shape with its length/height ratio being 3 to 2. At the centre of the regional flag is a white 5-petal bauhinia in swaying motion. The diameter of its outer circle is 3/5 of the regional flag's height. The petals are evenly arranged round the central point of the regional flag in a clockwise direction. Each petal bears a red 5-pointed star and a red style. The centre of the bauhinia lies on the central point of the regional flag. The case of the pole is in white. The design of the regional flag is shown in Figure 1.

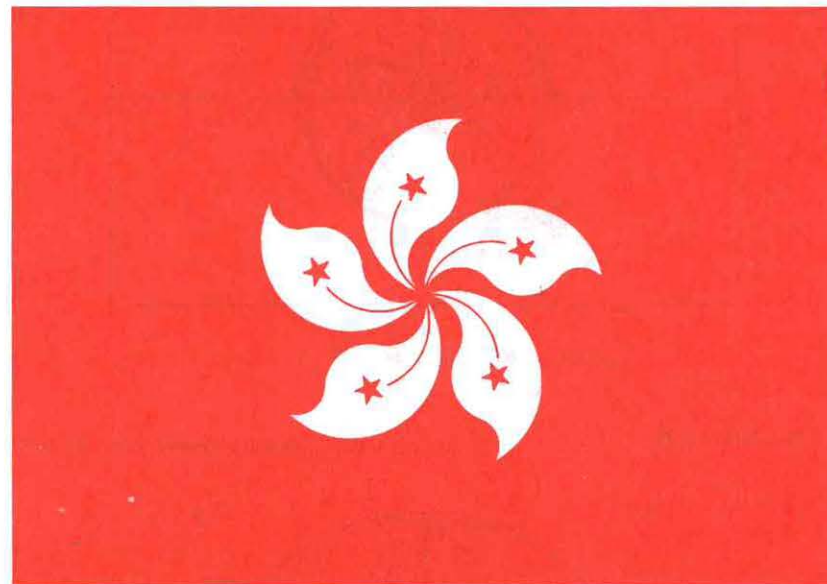


Figure 1 Design of the Regional Flag of the Hong Kong Special Administrative Region of the People's Republic of China

II. There are eight different standard sizes of the regional flag. Their measurements are as follows:

	Length (cm)	Height (cm)
No. 1	288	192
No. 2	240	160
No. 3	192	128
No. 4	144	96
No. 5	96	64
Car Flag	30	20
Flag for Signing Ceremony	21	14
Desk Flag	15	10

If regional flags of non standard sizes are required to meet special needs, they shall be of a scaled-up or a scaled-down size.

III. 紫荊花定位圖

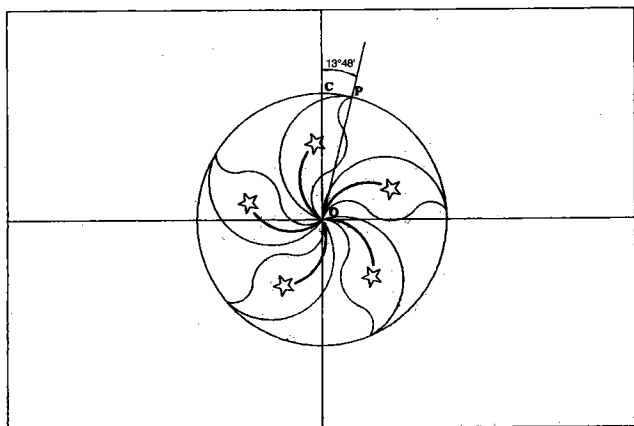
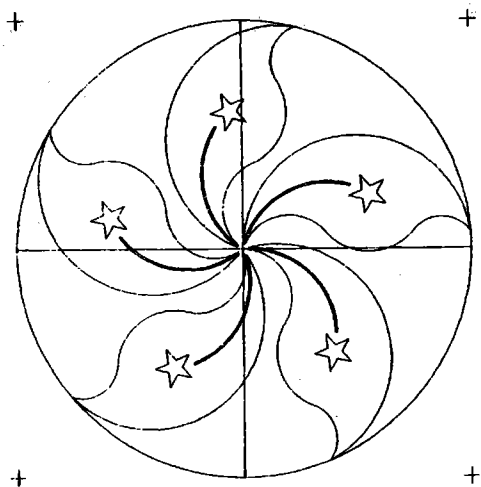


圖 2 紫荊花定位圖

IV. 紫荊花製版定位圖



III. Format of the bauhinia design

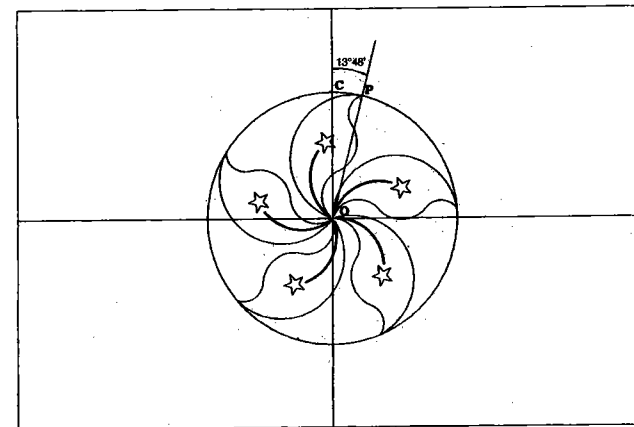
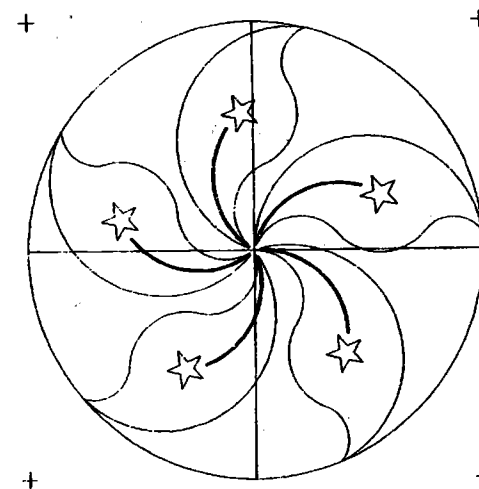


Figure 2 Format of the Bauhinia Design

IV. Format of the bauhinia design for plate making



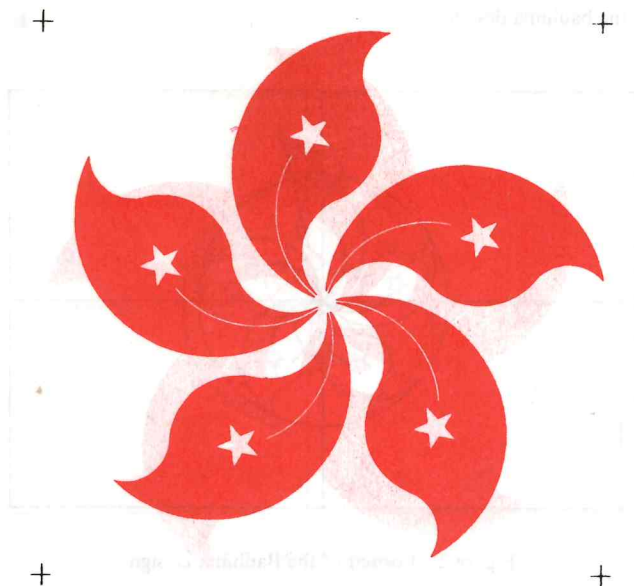


圖3 紫荊花製版定位圖

附表2

[第2及5條]

中華人民共和國香港特別行政區
區徽規格

I. 區徽呈圓形，徽面由紅色環形窄邊、文字區外圈、紅色內圓及五星花蕊動態紫荊花圖案所組成。

II. 位於區徽徽面內圓中央的動態紫荊花圖案為白色，由五片花瓣組成，每片花瓣中均有一顆紅色五角星及一條紅色花蕊鑲在其間。各片花瓣環繞區徽徽面中心點順時針均勻排列。紫荊花中心點位於區徽徽面的中心點。

III. 文字區外圈位於紅色環形窄邊與紅色內圓之間，為白底紅字。外圈上方均勻排列着“中華人民共和國香港特別行政區”中文繁體區徽標準字樣。字下端朝向區徽徽面中心點。外圈下方均勻排列着英文“HONG KONG”區徽標準字樣，字母上端朝向區徽徽面中心點。中英文字樣



Figure 3 Format of the Bauhinia Design for Plate Making

SCHEDULE 2

[ss. 2 & 5]

SPECIFICATIONS FOR THE REGIONAL EMBLEM OF THE HONG KONG SPECIAL
ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

I. The regional emblem is round in shape. It bears a red circular edge, an outer ring marked with scripts, a red inner ring with a design of a swaying bauhinia with 5 star-shaped stamens.

II. The swaying bauhinia design at the centre of the inner ring of the regional emblem is white in colour. It is formed by 5 petals, each with a red 5-pointed star and a red style. The petals are evenly arranged around the central point of the regional emblem in a clockwise direction. The centre of the bauhinia lies on the central point of the regional emblem.

III. The outer ring marked with scripts lies between the red circular edge and the red inner ring. The words and characters, on a white background, are red in colour. Evenly arranged in the upper part of the outer ring are the Chinese characters “中華人民共和國香港特別行政區” in complex form and in the standard format for the regional emblem. The bottom of each character points towards the centre of the regional emblem. The English words “HONG KONG” in the standard format for the regional emblem are evenly arranged further down the outer ring. The top of each alphabet points towards the centre of the regional emblem. In between the Chinese characters and the English words is a 5-pointed red star on two sides. One point of both stars points towards the

之間分別鑲有一顆紅色五角星。五角星的一個角尖朝向區徽徽面中心點。中英文字樣和五角星均以區徽徽面的中軸線為準對稱分布。區徽圖案見圖1。



圖1 中華人民共和國香港特別行政區區徽圖案

IV. 區徽徽面中紅色的色度值以中華人民共和國國徽紅為其標準。

V. 區徽徽面通用尺寸定為如下三種：

- | | |
|-----|-----------|
| 1 號 | 直徑 100 厘米 |
| 2 號 | 直徑 80 厘米 |
| 3 號 | 直徑 60 厘米 |

因特殊需要製作不同尺寸區徽時，均按通用尺寸成比例地放大或縮小。

centre of the regional emblem. The Chinese characters, the English words and the 5-pointed stars are symmetrically arranged with reference to the centrelines of the regional emblem. The design of the regional emblem is shown in Figure 1.



Figure 1 The Design of the Regional Emblem of the Hong Kong Special Administrative Region of the People's Republic of China

IV. The chrominance value of the red colour of the regional emblem shall be identical with that of the national emblem of the People's Republic of China.

V. There are three standard sizes of the regional emblem. Their measurements are as follows:

- | | |
|--------|--------------------|
| Size 1 | 100 cm in diameter |
| Size 2 | 80 cm in diameter |
| Size 3 | 60 cm in diameter |

If regional emblems of non-standard sizes are required to meet special needs, they shall be of a scaled-up or a scaled-down size.

VI. 區徽徽面定位圖



圖 2 區徽徽面定位圖

1. 環形窄邊的寬度為區徽直徑的百分之一。
2. 文字區外圈的寬度為區徽直徑的十分之一。
3. 紫荊花外輔助圓直徑為區徽直徑的十分之六。
4. 中文字區夾角為 220 度。中文字高為文字區外圈寬度的十分之七。
5. 英文字區夾角為 80 度。英文字高為文字區外圈寬度的十分之六。
6. 五角星區夾角分別為 30 度。其外圓直徑與紫荊花內五角星一致。

VI. Format of the Regional Emblem



Figure 2 Format of the Regional Emblem

1. The width of the circular edge must be 1/100th of the diameter of the regional emblem.
2. The width of the outer ring marked with scripts must be 1/10th of the diameter of the regional emblem.
3. The supplementary circle surrounding the bauhinia must be 6/10ths of the diameter of the regional emblem.
4. The angle of the Chinese character region is 220 degrees. The height of the Chinese characters must be 7/10ths of the width of the outer ring marked with scripts.
5. The angle of the English word region is 80 degrees. The height of the English words must be 6/10ths of the width of the outer ring marked with scripts.
6. The angle of the 5-pointed star region is 30 degrees respectively. The diameter of the outer circle of the star shall be the same as that of the 5-pointed star of the bauhinia.

VII. 區徽徽面中英文標準字樣

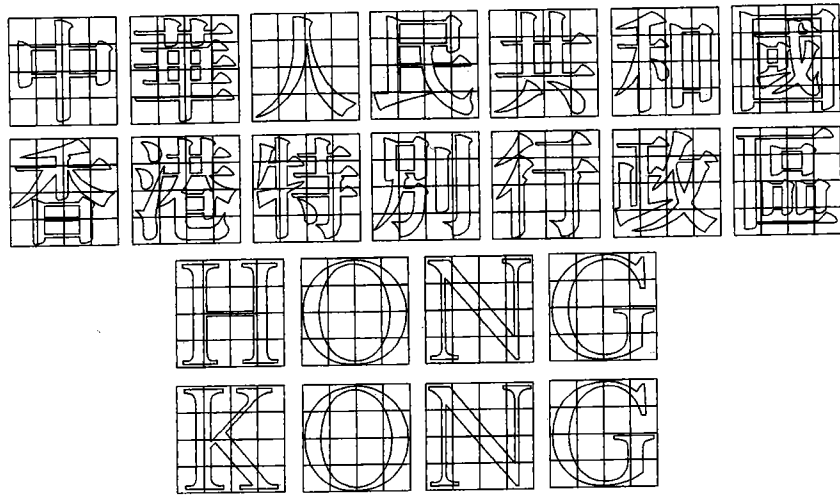


圖 3 區徽徽面中英文標準字樣

VIII. 區徽剖面示意圖

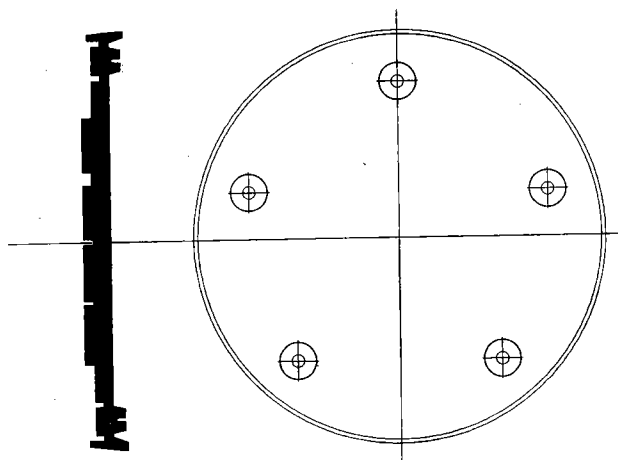


圖 4 區徽剖面示意圖

VII. Standard Format of the Chinese characters and the English words of the Regional Emblem

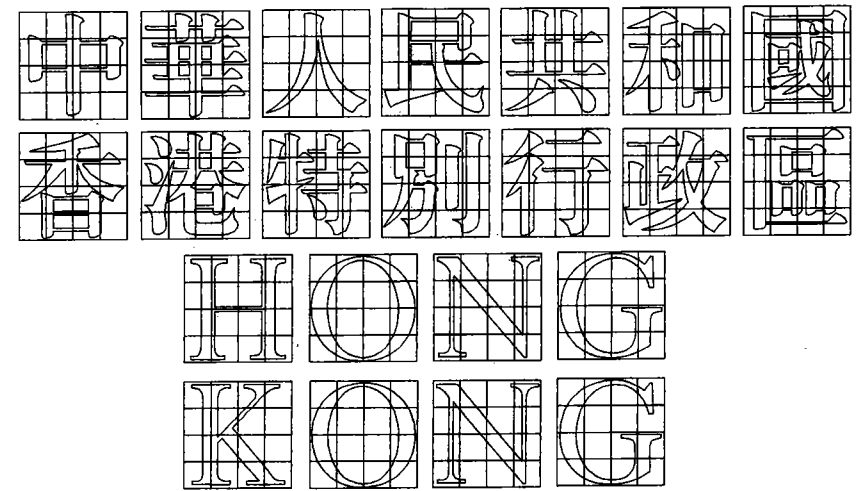


Figure 3 Standard Format of the Chinese characters and the English words of the Regional Emblem

VIII. The Sectional Drawing of the Regional Emblem

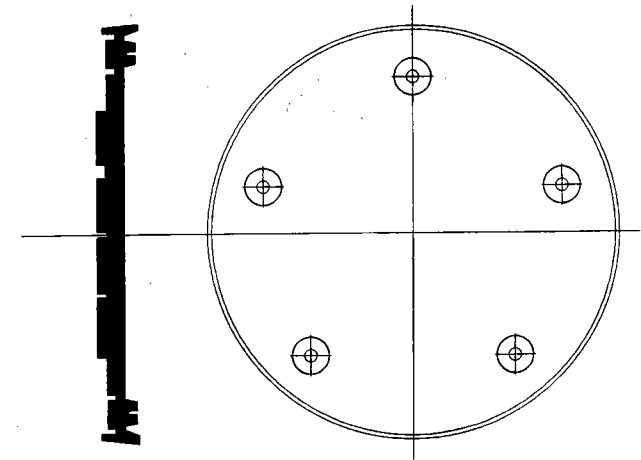


Figure 4 Sectional Drawing of the Regional Emblem

IX. 區徽製版定位圖



圖 5 區徽製版定位圖

附表 3

[第 3 條]

區旗及區徽展示及使用辦法

(本附表為籌備委員會在 1996 年 8 月 10 日通過的
香港特別行政區區旗、區徽使用
暫行辦法的改編本)

為了維護香港特別行政區區旗、區徽的尊嚴，正確使用區旗、區徽，現列舉區旗、區徽的使用辦法如下。

- I. 香港特別行政區區旗、區徽是香港特別行政區的象徵和標誌。每個香港居民和團體都應當尊重和愛護區旗、區徽。
- II. 在香港特別行政區，凡國旗與區旗、國徽與區徽同時懸掛時，應當將國旗或國徽置於較突出的位置。
列隊舉持國旗和區旗行進時，國旗應在區旗之前。平行懸掛國旗和區旗時，國旗在右，區旗在左。
於室內展示國旗及區旗，在確定旗幟後方牆壁的“左”、“右”時，以人背向該牆而立，面向前方時的“左”、“右”為準。
於建築物外展示國旗及區旗，在確定該建築物的“左”、“右”時，以人立於建築物前，面向該建築物前門時的“左”、“右”為準。

IX. Format of the Regional Emblem for Plate Making



Figure 5 Format of the Regional Emblem for Plate Making

SCHEDULE 3

[s. 3]

ARRANGEMENTS ON THE DISPLAY AND USE OF
THE REGIONAL FLAG AND REGIONAL EMBLEM

(This is an adapted translation of the Provisional Arrangements on the Use of the
Hong Kong Special Administrative Region Regional Flag and Regional Emblem
passed by the Preparatory Committee on 10 August 1996)

To safeguard the dignity of the regional flag and the regional emblem of the Hong Kong Special Administrative Region and to ensure the correct use of the regional flag and the regional emblem, the following are the arrangements on the use of the regional flag and regional emblem.

- I. The Hong Kong Special Administrative Region's regional flag and regional emblem are the symbol and ensign of the Hong Kong Special Administrative Region. Each and every Hong Kong resident and organization should respect and cherish the regional flag and the regional emblem.
- II. In the Hong Kong Special Administrative Region, whenever the national flag is flown together with the regional flag, or the national emblem is displayed together with the regional emblem, the national flag or the national emblem is to occupy a more prominent position. When both the national flag and the regional flag are raised in procession, the national flag is to precede the regional flag. When the national flag is flown alongside the regional flag, the national flag is to be on the right and the regional flag on the left.
For the display of the national flag and regional flag inside a building, "left" and "right" sides of the backing wall are ascertained by reference to a person standing with his back to the wall and looking forward.
For the display of the national flag and regional flag outside a building, "left" and "right" sides of the building are ascertained by reference to a person standing in front of the building and looking towards the front entrance of the building.

附表4

[第3條]

區旗下半旗的情況

區旗下半旗

1. 下列人士逝世，須下半旗誌哀——
 - (a) 中華人民共和國主席、全國人民代表大會常務委員會委員長、國務院總理、中央軍事委員會主席。
 - (b) 中國人民政治協商會議全國委員會主席。
 - (c) 中央人民政府知會行政長官，指為對中華人民共和國作出傑出貢獻的人。
 - (d) 中央人民政府知會行政長官，指為對世界和平或者人類進步事業作出傑出貢獻的人。
 - (e) 行政長官認為對香港特別行政區作出傑出貢獻的人，或行政長官認為適宜下半旗予以哀悼的人。
2. 中央人民政府知會行政長官，謂發生特別重大傷亡的不幸事件或者嚴重自然災害造成重大傷亡時，可以下半旗誌哀。
3. 發生特別重大傷亡的不幸事件或者嚴重自然災害造成重大傷亡時，如行政長官認為適宜下半旗，可以下半旗誌哀。

SCHEDULE 4

[s. 3]

CONDITIONS FOR FLYING THE REGIONAL FLAG AT HALF STAFF

Flying regional flag at half staff

1. The regional flag must be lowered to half staff as a token of mourning when the following persons pass away—
 - (a) President of the People's Republic of China, Chairman of the Standing Committee of the National People's Congress, Premier of the State Council and Chairman of the Central Military Commission.
 - (b) Chairman of the National Committee of the Chinese People's Political Consultative Conference.
 - (c) Persons who have made outstanding contributions to the People's Republic of China as the Central People's Government advises the Chief Executive.
 - (d) Persons who have made outstanding contributions to world peace or the cause of human progress as the Central People's Government advises the Chief Executive.
 - (e) Persons whom the Chief Executive considers have made outstanding contributions to the Hong Kong Special Administrative Region or for whom he considers it appropriate to do so.
2. The regional flag may be flown at half staff as a token of mourning when the Central People's Government advises the Chief Executive that unfortunate events causing especially serious casualties occur or serious natural calamities have caused heavy casualties.
3. The regional flag may be flown at half staff as a token of mourning if the Chief Executive considers it is appropriate when unfortunate events causing especially serious casualties occur or serious natural calamities have caused heavy casualties.