



EMBLEMS AND ENSIGN POLICY



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Adopted by	Napier City Council on 30 January 2020
Relevant Legislation	Local Government Act 2002, section 234
NCC Documents Referenced	Note that this policy replaces and updates the following policies: <i>Napier City Council Logo and Coat of Arms Policy 2003</i> <i>Flying of NZ & City Flags Policy 1987</i>

Purpose

To outline the history and appropriate usage of the Napier City Coat of Arms, the Napier City Council logo and Office of the Mayor logo. This policy also provides information on the Napier City flag (coat of arms), the Napier City flag (heraldic), the Napier City Council branding flag, and guidelines for display and use of these flags, as well as the New Zealand ensign.

Policy

1. The arms of the City of Napier, together with the crest and supporters, were granted to the City on 31 August 1951.



2. The arms are made up of a shield and crest, supporters and a motto scroll

The Shield

The three red roses are taken from the coat of arms of Lord Napier and Ettrick, a direct descendant of Sir Charles Napier, after whom Napier was named. The wavy undulated blue bands on the shield are the accepted heraldic symbols for coastal towns and denote tourist resorts and ports. The Golden Fleece is the heraldic symbol of the wool industry, of which Napier has been one of the largest centres in New Zealand.

The Crest

The crest depicts the inverted wing and claw of a hawk, taken from the arms of Lord Hawke, a former First Lord of the Admiralty after which the province of Hawke's Bay was named. In the claw of the hawk is a Māori waihaka (bone club), representative of the Māori of the district. The full crest is mounted on the usual wreath, which is coloured blue and white.

The Supporters

The supporters are a golden kiwi and lion, which represent Napier's dependence on New Zealand and England.

The Motto

The motto "Faith and Courage" was adopted, as it was felt it reflected the courage and faith present during and after the 1931 earthquake.

3. Appropriate use of any Coat of Arms is defined by the Local Government Act 2002 (Section 234). Penalty for conviction of an offence under this section is liable to a fine of up to \$5,000.
4. Napier City Council, as the governance body of the City, is the sole and exclusive owner of the Coat of Arms.
5. The Grant of Arms is a limited right, and Council cannot authorise a third party to use the Arms (use means using as if they were one's own, which if they are not is usurpation).
6. Council may however authorise the display of the Coat of Arms (and any imitations of it, such as the Office of the Mayor Logo) by external parties on receipt of a request in writing, and may impose conditions on the display. Display requires that a suitable inscription be included on the display item which clearly shows whose Arms they are.
7. Council may at any time revoke and vary the conditions of authorisation by notifying the person to whom consent was given.
8. The Coat of Arms (or any imitation) is not allowed to be applied to any object, or permitted to be applied to any object, for the purposes of sale without the prior written authorisation of the Council (LGA 2002 s234(a)). Where authorisation is granted, a suitable inscription must be included on the object(s) which clearly shows whose Arms they are.
9. No one can sell or offer for sale any object that has the Coat of Arms on without the prior written authorisation of the Council (LGA 2002 s234(b)). Where authorisation is granted, a suitable inscription must be included on any and all objects for sale which clearly shows whose Arms they are.
10. The Chief Executive, Directors and the Manager Design and Projects also have delegated authority to approve the display of the Napier City Council Coat of Arms on related documents, publications and materials associated to projects, activities and events that have received Council support.
11. Unauthorised use or display of the Coat of Arms for sale purposes is an offence, and could result in a fine not exceeding \$5,000 (Section 242 (2), Local Government Act 2002).

Napier City Council and Office of the Mayor Logos

12. The current Napier City Council logo and branding was launched in September 2016, maintaining some of the city's Art Deco aspects, while incorporating the overarching theme of what Napier is now - a vibrant, coastal, multi-cultural city that has taken the creativity of the past to its heart and channelled it into all sorts of fantastic culinary, viticultural, artistic, and sporting ventures.



13. Display of the Napier City Council Logo requires written authorisation of the Council before proceeding.
14. The Office of the Mayor Logo is based on the Napier City Council logo and a stylised version of the Coat of Arms. As such, under law it is considered an imitation of the Coat of Arms.

Mayoral

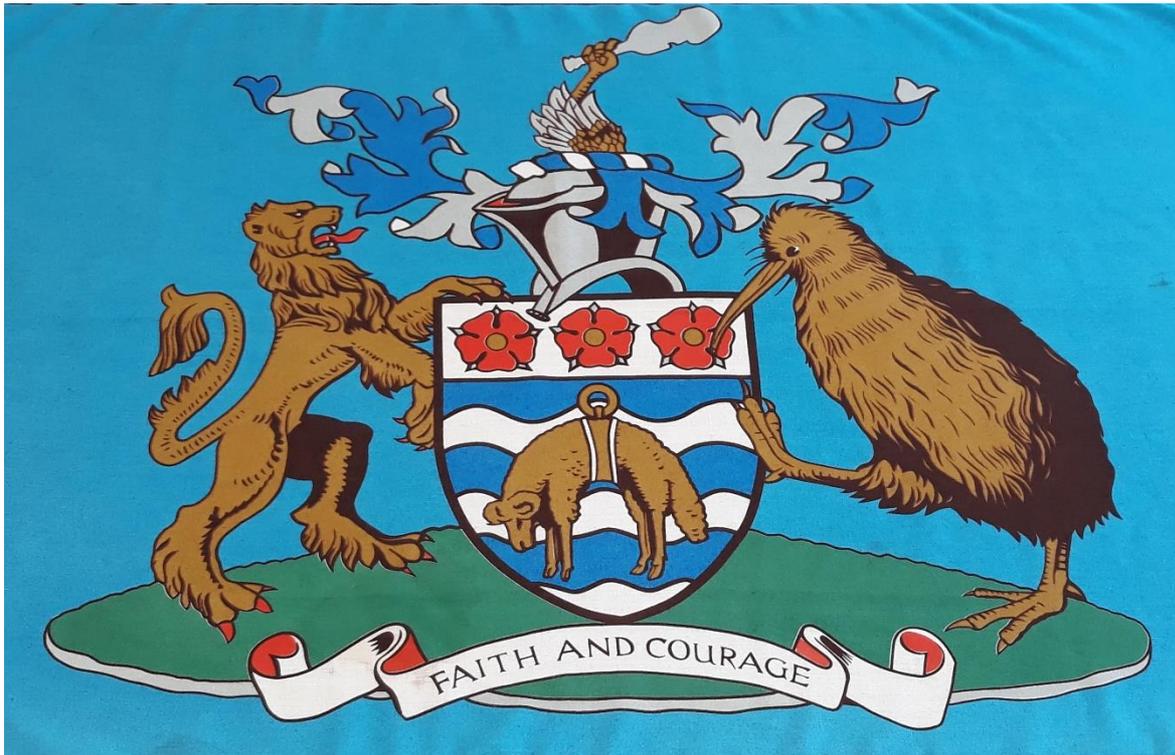


15. Council is the sole and exclusive owner of the Napier City Council logo and the Napier City Council Office of the Mayor logo.
16. Council may authorise the display of the Napier City Council logo and the Office of the Mayor logo by external parties on receipt of a request in writing, and may impose conditions on its display.
17. Council may at any time revoke and vary the conditions of consent by notifying the person to whom consent was given.
18. Although considered under law an imitation of the Coat of Arms, the Office of the Mayor's logo is a managed exception to **policy section 10** above, and display may **only** be approved by the Mayor and Council.
19. The Chief Executive, Directors and the Manager Design and Projects have delegated authority to approve the use of the Napier City Council logo on related documents, publications and materials associated to projects, activities and events that have received Council support.
20. Council's standardised branding is to be included on all Council publications.

Napier City Flags

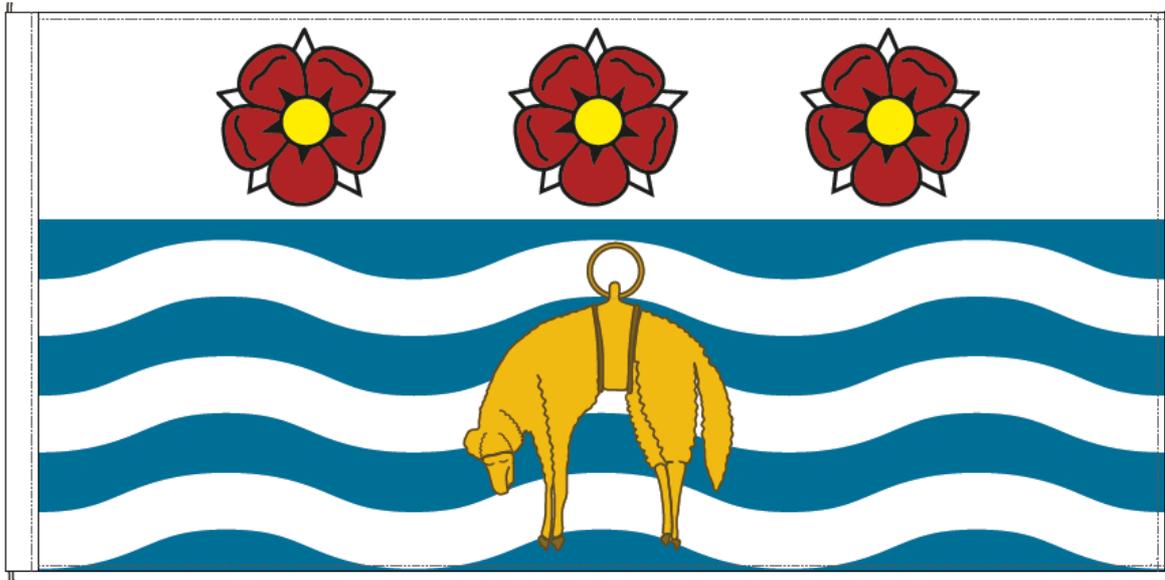
21. Napier City has three flags: the Napier City Flag (Coat of Arms), the Napier City Flag (heraldic), and the Napier City Council branded flag.
22. The Napier City flags (and the New Zealand Flag) are the responsibility of the Chief Executive's Office and may be accessed by Elected Members and Council Officers via the Executive Assistant to the Chief Executive.
23. Operational responsibility for the flying and half-masting of flags sits with the Director City Services and the Council Courier.

Napier City Flag (Coat of Arms)



24. Napier City is unique in that its primary flag presents the full coat of arms. Under the Grant of Arms, only Napier City Council as the grantee may ever use or display this flag because it bears the full Coat of Arms for the City of Napier.
25. The Napier City Flag (Coat of Arms) may, at the discretion of the Mayor/ Acting Mayor, be flown at Council's at half-mast as a sign of mourning following the death of prominent national or local citizens (i.e. past Mayors and Councillors, persons with Freedom of the City etc.).
26. In line with protocol overseen by the Ministry of Culture and Heritage the half-masting of this flag will take place only on the day or part of the day of the funeral.

Napier City Flag (heraldic)



27. The Napier City Flag (heraldic) presents the symbols from the shield of the Coat of Arms and is the formal flag of the City of Napier.
28. The Napier City Flag (heraldic) may, at the discretion of the Mayor/ Acting Mayor, be flown at Council's at half-mast as a sign of mourning following the death of prominent national or local citizens (i.e. past Mayors and Councillors, persons with Freedom of the City etc.).
29. This flag may also be displayed at half-mast in mourning following the death of long serving current or previous Council officers, at the discretion of the Chief Executive and following consultation with the Mayor/ Acting Mayor.
30. In line with protocol overseen by the Ministry of Culture and Heritage the half-masting of this flag will take place only on the day or part of the day of the funeral.
31. Any members of the public wishing to display the Napier City Flag (heraldic) must request authorisation from Council. Following written authorisation they will then liaise directly with the nominated supplier to procure a copy for themselves.
32. Members of the public wishing to seek authorisation should contact the Executive Assistant to the Chief Executive who will initiate the request with Council.

Napier City Council branded flag



33. The Napier City Council branded flag is available for use by Council as required on a daily basis, and may also be flown at events and functions where Council is represented.
34. Members of the public may purchase these flags for personal display following written authorisation by the Chief Executive, by direct application to the nominated supplier.

New Zealand Ensign

35. The Ministry of Culture and Heritage is responsible for national taonga including the New Zealand Flag.
36. The New Zealand Flag can be flown any day of the year, especially on days of national commemoration, such as Anzac Day, and other important occasions.
37. The New Zealand Flag represents the people of New Zealand and should be treated with respect. To use, display, destroy, or damage the Flag in or within view of a public place with the intention of dishonouring it is an offence.
38. It's also an offence to place any letter, emblem, or representation on the Flag, unless in some advertising contexts. People who misuse the flag can be prosecuted under the Flags, Emblems, and Names Protection Act 1981.

General guidelines for display and half-masting of flags

City flag poles

39. Napier City Council has flagpoles at the following locations: the old Civic premises, the Depot, the Cenotaph, Taradale clock tower, Taradale cemetery Returns Servicemen's, Wharerangi Returned Servicemen's.
40. The New Zealand Flag will be flown on a daily basis at Council's primary civic building, excepting the duration of the Civic premises upgrade initiated in late 2017.

Display of the New Zealand Flag

41. When displaying the New Zealand Flag the guidelines of the Ministry of Culture and Heritage for positioning and presentation should always be followed. These can be accessed at: <https://mch.govt.nz/nz-identity-heritage/flags/displaying-new-zealand-flag>
42. The New Zealand Flag may be flown at half-mast as a sign of mourning on the following occasions, following direction received by email to the Chief Executive from the Chief Executive of the Ministry for Culture and Heritage:

The Sovereign

From the announcement of death up to and including the day of the funeral (except on Proclamation Day when the new sovereign is officially announced and flags are flown from the top of the mast).

The Governor-General, former Governors-General, the Prime Minister and former Prime Ministers.

On the announcement of death and the day of the funeral.

Members of the Royal Family

On the day of the funeral subject to special command from The Queen or the Governor-General.

Commonwealth Governors-General, Commonwealth Prime Ministers in office, Foreign and Commonwealth Heads of State

On the day of the funeral only.

43. When the New Zealand Flag is at half-mast no other flags may be flown above it.
44. It may not be flown at half-mast for any other occasions. If other local flags are being flown at half-mast in recognition of a prominent citizen the New Zealand Flag should remain at full mast.
45. When any email with regards to half-masting the New Zealand flag is received from the Ministry of Culture and Heritage, the Office of the Chief Executive will be liaised with immediately to advise of the notification. The Council Courier will be responsible for ensuring all New Zealand flags flying on Council flag poles are appropriately moved to half-mast.

How to half-mast a flag

46. A flag is half-masted by raising it to the top of the mast, then slowly lowering it to the half-mast position, which will depend on the size of the flag and the length of the flagpole.
47. The flag must be lowered to a position more than its own depth from the top of the flagpole to avoid the appearance of a flag which has accidentally fallen from the top of the flagpole.
48. The Flag should be raised again to the peak before lowering it for the day.

Summary of authority to approve the half-masting of flags

49. For the purposes of clarity, the following table provides a summary of who may authorise the display and or half-masting of a flag:

	NZ Flag	Napier City Flag (Coat of Arms)	Napier City Flag (Heraldic)	Napier City Council Branded Flag
Ministry of Culture and Heritage	√			
Mayor/ Acting Mayor		√ Half-masting only Use restricted to Napier City Council	√ Half-masting only	√
Chief Executive		√ Half-masting only	√ Half-masting only, in consultation with Mayor	√

Policy Review

The review timeframe of this policy will be no longer than every three years.



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