

Estonian Flag Act

Passed 23 March 2005

(RT¹ I 2005, 20, 126),

entered into force 1 January 2006.

§ 1. Estonian flag

- (1) The Estonian flag is blue, black and white.
- (2) The Estonian flag is used as the national and state flag.

§ 2. Description of Estonian flag

- (1) The Estonian flag is made up of three horizontal bands of colour of equal width. The upper band is blue, the middle one is black and the lower one is white. The ratio of the length and width of the flag is 7:11.
- (2) The image of the Estonian flag is annexed to this Act.

§ 3. Hoisting Estonian flag to Pikk Hermann tower

- (1) The Estonian flag is hoisted to the Pikk Hermann tower in Tallinn every day at sunrise but not earlier than at 7.00 and is lowered at sunset.
- (2) On the hoisting of the Estonian flag to the Pikk Hermann tower, the opening phrases of the national anthem of Estonia and on the lowering, the opening phrases of the song "*Mu isamaa armas*" ["My Dear Fatherland"], are used as musical signature.

§ 4. Right to hoist and use Estonian flag

- (1) Everyone has the right to hoist and use the Estonian flag in accordance with the provisions of this Act and good practice.
- (2) On Independence Day, Victory Day and Day of Restoration of Independence, the Estonian flag shall be hoisted on residential buildings, business buildings and office buildings.

§ 5. Hoisting of Estonian flag permanently

- (1) The Estonian flag shall not be lowered on the building of the Riigikogu, the Government of the Republic, the Supreme Court, court buildings, the building of the State Audit Office, the Chancellor of Justice, the buildings of ministries, the building of Eesti Pank, the buildings of county governments, rural municipality or city councils, rural municipality governments or city governments and at border checkpoints.
- (2) The Estonian flag shall be hoisted on the buildings of foreign missions of Estonia, taking into consideration the laws and customs of the receiving state.
- (3) The Estonian flag shall be hoisted on the buildings of basic schools, upper secondary schools, vocational educational institutions, institutions of professional higher education and universities on every school day.
- (4) A local government council may designate a place in the territory of the local government where the Estonian flag shall be hoisted permanently.
- (5) A permanently hoisted Estonian flag shall be illuminated at night-time.

§ 6. Flag days

(1) The flag days are:

- 1) 3 January – Commemoration Day of Combatants of the Estonian War of Independence;
- 2) 2 February – Anniversary of the Tartu Peace Treaty;
- 3) 24 February – Independence Day, Anniversary of the Republic of Estonia;
- 4) 14 March – Mother Tongue Day;
- 5) second Sunday in May – Mother’s Day;
- 6) 9 May – Day of Europe;
- 7) 4 June – Estonian Flag Day;
- 8) 14 June – Day of Mourning (the flag shall be hoisted as mourning flag);
- 9) 23 June – Victory Day;
- 10) 24 June – Midsummer Day;
- 11) 20 August – Day of Restoration of Independence;
- 12) 1 September – Day of Knowledge;
- 13) second Sunday in November – Father’s Day;

14) the day of the Riigikogu elections or local government council elections, the day of the referendum and the day of elections to the European Parliament.

(2) On flag days, state and local government agencies and legal persons in public law shall hoist the Estonian flag.

(3) On the day on which elections are held for the Riigikogu or for local government councils, on the day of a referendum, and on the day of elections to the European Parliament, the Estonian flag shall be hoisted also on the building of the polling division.

(4) On 16 February, the Independence Day of Lithuania, the national flag of Lithuania, and on 18 November, the day of declaration of the Republic of Latvia, the national flag of Latvia shall be hoisted together with the flag of Estonia on the building of the Riigikogu, the President of the Republic and the Government of the Republic.

(5) The Government of the Republic may decide that the Estonian flag be hoisted for a single occasion on the buildings of state and local government agencies and legal persons in public law at another time in order to celebrate an event of significant importance for the Estonian state and the Estonian people.

§ 7. Time of hoisting and lowering of flag

(1) The Estonian flag shall be hoisted at sunrise but not later than at 8.00 and shall be lowered at sunset but not later than at 22.00.

(2) The Government of the Republic may decide that the Estonian flag be hoisted and lowered at another time for a single occasion.

(3) The Estonian flag shall not be lowered on Midsummer Night.

§ 8. Place of hoisting flag

The flag together with flagpole shall be fixed on a building or on the roof of a building or shall be hoisted to the flag mast.

§ 9. Requirements for flags to be hoisted

(1) A flag to be hoisted shall be clean and whole.

(2) The minimum size of the flag to be hoisted to the flag pole fixed on a building or to the flag mast on the roof of a building shall be 105×165 centimetres.

(3) When the Estonian flag is hoisted vertically, the blue band of the flag shall remain to the left of an observer.

(4) When the flag is hoisted to a flag mast, the length of the mast shall be approximately six times the width of the flag.

§ 10. Hoisting of Estonian flag together with other flags

(1) If the Estonian flag is hoisted together with other flags the Estonian flag shall be at a more honourable place.

(2) The flag of the President of the Republic shall be placed to the right and the flag of a foreign head of state shall be placed to the left of the Estonian flag when observed from behind the line of flags.

(3) The flags of other states shall be placed after the Estonian flag in the alphabetical order of the names of the states in French. Only upon the hoisting of the flags of the Member States of the European Union shall the national flags be placed in the alphabetical order of the names of the states in their own languages. The alphabetical order of the names of states of the European Union in French and in their own languages shall be published as a notice of the Secretary of the State in the *Riigi Teataja Lisa*.

(4) If the Estonian flag is hoisted together with the flag of another state and the flag of an international organisation and the flag of a county, city, rural municipality of Estonia or another flag the flag of a county, city or rural municipality of Estonia or other flag shall be placed to the left of the flag of the international organisation when observed from behind the line of flags.

(5) Depending on the location of the line of flags and the number of flags, the sequence of the flags prescribed in subsections (2)-(4) may be altered upon hoisting, taking into consideration that the Estonian flag shall be on a more honourable place.

(6) Flags shall be hoisted separately, to a flag pole or flag mast of the same length, and at the same height with the Estonian flag. Flags to be hoisted shall be of equal width.

§ 11. Hoisting of Estonian flag and European Union flag

(1) The European Union flag shall be hoisted together with the Estonian flag on the building of the Riigikogu, the Government of the Republic, the Supreme Court, the State

Audit Office, the Chancellor of Justice, buildings of ministries, the building of Eesti Pank, the Headquarters of Defence Forces, the buildings of governments, rural municipality or city councils and a rural municipality governments or city governments or to flag masts located beside the buildings together with the Estonian flag on the Day of Europe and on the day of elections to the European Parliament.

(2) The Government of the Republic shall designate the border checkpoints where the European Union flag shall be hoisted permanently together with the Estonian flag.

(3) The Minister of Foreign Affairs shall give instructions on the hoisting of the European Union flag on the buildings of foreign missions of Estonia. The European Union flag shall be hoisted together with the national flag of Estonia.

§ 12. Hoisting of flag as mourning flag

(1) On days of national mourning, the Estonian flag shall be hoisted as mourning flag.

(2) If the Estonian flag is hoisted as mourning flag, a black ribbon is attached to the upper end of the flag pole or the flag shall be hoisted at half mast.

§ 13. Placing Estonian flag to vehicles of officials

The Estonian flag may be placed, in compliance with the requirements of the of diplomatic protocol, on a vehicle used by the head of a foreign mission of Estonia or a representative of a foreign state during his or her visit to Estonia, or on a vehicle used by the President of the Riigikogu, the Prime Minister or another official representative of the Republic of Estonia while performing his or her duties.

§ 14. Hoisting and use of Estonian flag on ships

The hoisting and use of the Estonian flag on board of a ship is regulated by the Law of Ship Flag and Registers of Ships Act (RT I 1998, 23, 321; 59, 941; 1999, 10, 149; 2000, 55, 365; 2001, 56, 336; 93, 565; 2002, 61, 375; 63, 387; 2003, 13, 66; 88, 594; 2004, 30, 208) and good international maritime practices and customs.

§ 15. Use of Estonian flag and its colour combination

- (1) The Estonian flag or its colour combination shall be used in accordance with good practice.
- (2) One side of the flag of a unit of the Defence Forces may be in the colour combination of the Estonian flag.
- (3) Everyone has the right to use a banner which is in the colour combination of the Estonian flag. A banner is not a substitute for the Estonian flag.
- (4) A sign which contains the image of the Estonian flag shall not be used as a trade mark or service mark.
- (5) The flag of a natural person or legal person (with the exception of the flag of the Estonian Students Society) shall not be confusingly similar to the Estonian flag.
- (6) The State Chancellery shall give explanations concerning the procedure for the use of the Estonian flag and its colour combination and the observance of good practice.
- (7) The State Chancellery has the right to draw attention to the importance of compliance with the procedure for the use of the Estonian flag and its colour combination and observance of good practice.

§ 16. Destruction of flag which has become unusable

A flag which has become unusable shall be destroyed in a dignified manner.

§ 17. Flag of the President of the Republic

- (1) The flag of the President of the Republic is the Estonian flag with the grand national coat of arms in the centre on both sides. The lions on the national coat of arms on both sides of the flag are directed towards the flag pole. The image of the flag of the President of the Republic is annexed to this Act.
- (2) The flag of the President of the Republic shall be hoisted on his residence and vehicle and, if necessary, in the place where a ceremony is taking place, for the time of participation of the President of the Republic.

§ 18. Estonian flag with a special sign

- (1) The Minister of Defence, border guard and customs institutions and post offices have the right to use the Estonian flag with a special sign.

(2) The description of the Estonian flag with a special sign shall be established by a regulation of the Government of the Republic.

§ 19. Flag of the Estonian navy

(1) The flag of the Estonian navy is in the colour combination of the Estonian flag and there is the small national coat of arms on both sides. The lions on the national coat of arms on both sides of the flag are directed towards the flag pole.

(2) The description of the flag of the Estonian navy shall be established by a regulation of the Government of the Republic.

§ 20. Amendment of National Coat of Arms Act

The National Coat of Arms Act (RT I 2001, 65, 376; 2002, 34, 206; 63, 387) is amended as follows:

1) section 4 is amended and worded as follows:

“The following is approved by this Act:

1) The reference standard for the grand national coat of arms of the Republic of Estonia together with the definition of the blue colour tone according to the international Pantone matching system (Annex 1);

2) The reference standard for the small national coat of arms of the Republic of Estonia together with the definition of the blue colour tone according to the international Pantone matching system (Annex 2);

3) Graphic black and white reference standard for the grand national coat of arms of the Republic of Estonia (Annex 3 and 5);

4) Graphic black and white reference standard for the small national coat of arms of the Republic of Estonia (Annex 4 and 6).”;

2) subsection (4) is added to § 23 worded as follows:

«(4) The national coats of arms which are used on the basis of the Act of the Republic of Estonia “Concerning the Approval of Reference Standards for the National Flag and Coat of Arms of the Republic of Estonia” (RT 1992, 43, 566) shall be valid until the end of the term of use thereof.

§ 21. Amendment of Public and National Holidays Act

Section 3¹ is added to the Public and National Holidays Act (RT I 1998, 13, 162; 1999, 18, 299; 2004, 29, 193) worded as follows:

«§ 3¹. National mourning

- (1) The Government of the Republic may declare national mourning.
- (2) On 14 June, the Day of Mourning, no public events inconsistent with mourning shall be organised.”

§ 22. Amendment of Advertising Act

Subsection (3¹) is added to § 4 of the Advertising Act (RT I 1997, 52, 835; 1999, 27, 388; 30, 415; 2001, 23, 127; 50, 284; 2002, 53, 336; 61, 375; 63, 387; 2004, 27, 177; 45, 315; 75, 520; 2005, 2, 4) worded as follows:

«(3¹) It is prohibited to use national symbols and the symbols of state agencies and the colour combination of the Estonian flag in advertising in a manner that misleads the public concerning the subject of the advertising. Advertising shall not suggest that the information presented contains a recommendation from or guarantee of the state it does not possess.”

§ 23. Amendment of Penal Code

The Penal Code (RT I 2001, 61, 364; 2002; 82, 480; 86, 504; 105, 612; 2003, 4, 22; 83, 557; 90, 601; 2004, 7, 40; 46, 329; 54, 387; 56, 401; 88, 600) is amended as follows:

- 1) section 245 is amended and worded as follows:

«§ 245. Defamation of official symbols of Republic of Estonia

A person who tears down, damages, profanes or otherwise defames the Estonian flag, national coat of arms or any other official symbol of the Republic of Estonia, or defames the national anthem, shall be punished by a pecuniary punishment or up to one year of imprisonment.”;

- 2) the title § 271 and subsection 271 (1) are amended and worded as follows:

«§ 271. Violation of procedure for use of Estonian flag

(1) Violation of the requirements for the hoisting of the Estonian flag or for the use of the Estonian flag and its colour combination, and use of the Estonian flag as a trade mark is punishable by a fine of up to 100 fine units or by detention.“

§ 24. Repeal of the Act of the Republic of Estonia “Concerning the Approval of Reference Standards for the National Flag and Coat of Arms of the Republic of Estonia”
The Act of the Republic of Estonia “Concerning the Approval of Reference Standards for the National Flag and Coat of Arms of the Republic of Estonia” (RT 1992, 43, 566) is repealed.

§ 25. Repeal of National Flag Act

The National Flag Act (RT I 1993, 17, 273) is repealed.

§ 26. Entry into force of Act

(1) This Act enters into force on 1 January 2006.

(2) Subsection 5 (3) of this Act enters into force on 1 September 2005.

Annex 1 to the Estonian Flag Act

Estonian flag

The blue colour tone is 285 C as provided for in the international Pantone matching system

In the colours of the triad:

C 91%	CYAN	(blue)
M 43%	MAGENTA	(purple)
Y 0%	YELLOW	(yellow)
B 0%	BLACK	(black)

Annex 2 to the Estonian Flag Act

Flag of the President of the Republic

The blue colour tone is 285 C as provided for in the international Pantone matching system

In the colours of C 91% CYAN (blue)
the triad:

M 43% MAGENTA (purple)

Y 0% YELLOW (yellow)

B 0% BLACK (black)

Annex 1 to the National Coat of Arms Act

Grand national coat of arms

The blue colour tone is 285 C as provided for in the international Pantone matching system

In the colours of C 91% CYAN (blue)

the triad:

M 43% MAGENTA (purple)

Y 0% YELLOW (yellow)

B 0% BLACK (black)

Annex 2 to the National Coat of Arms Act

Small national coat of arms

The blue colour tone is 285 C as provided for in the international Pantone matching system

In the colours of C 91% CYAN (blue)

the triad:

M 43% MAGENTA (purple)

Y 0% YELLOW (yellow)

B 0% BLACK (black)

Annex 3 to the National Coat of Arms Act

Grand national coat of arms

Annex 4 to the National Coat of Arms Act

Small national coat of arms

Annex 5 to the National Coat of Arms Act

Grand national coat of arms

Annex 6 to the National Coat of Arms Act

Small national coat of arms