

1901.
NEW ZEALAND.

DESPATCHES FROM THE SECRETARY OF STATE FOR THE COLONIES

WITH REFERENCE TO THE RESERVED BILL, ENTITLED "THE NEW ZEALAND ENSIGN ACT, 1900." ALSO MEMORANDUM FROM THE PREMIER ON THE SUBJECT.

Laid upon the Table of the House of Representatives by Command.

No. 1.

The Right Hon. the SECRETARY OF STATE to the Right Hon. the EARL of RANFURLY.

MY LORD,—

Downing Street, 21st March, 1901.

I have the honour to inform you that I have submitted for the consideration of the Lords Commissioners of the Admiralty the reserved Bill of the Legislature of New Zealand, entitled "The New Zealand Ensign Act, 1900," copies of which were forwarded in Sir R. Stout's despatch No. 81 of the 26th October last.

2. Their Lordships are advised that, owing to the use of the words "for all purposes" in the preamble of the Bill, nothing further would be necessary, after the King's assent to the Bill has been signified, to justify the use of the blue ensign with the distinguishing marks mentioned in section 2, as the ensign of the colony for all purposes—*i.e.*, it could be used by merchant vessels belonging to New Zealand.

3. This proposal is one which their Lordships cannot regard with favour, inasmuch as by the Merchant Shipping Act, section 73, the red ensign without defacement is declared to be the proper national colours for all ships and boats belonging to any British subject, except in the case of His Majesty's ships and boats, or of any other ship or boat for the time being allowed to wear any other national colours in pursuance of a warrant from His Majesty or from the Admiralty.

4. Colonial merchant ships in some cases have been allowed distinguishing badges of the colony with the red ensign, but the use of the blue ensign has been carefully restricted by the Admiralty to ships and vessels whose special character it is desired to make known, such as—(a) ships and vessels in the service of public offices, (b) belonging to and permanently in the service of the colonies, (c) transport's yachts belonging to certain yacht clubs are also allowed, by warrant, to use it.

5. The only British merchant ships allowed to wear the blue ensign are those in receipt of Admiralty subvention, or commanded by retired officers of the Royal navy, or officers of the Royal Naval Reserve, and having a specified number of naval reserve men in the crew.

6. A special Admiralty warrant is required in each case.

7. If, however, the present Bill receives His Majesty's assent as it stands, the necessity of obtaining an Admiralty warrant to fly the blue ensign would no longer exist in the case of New Zealand vessels, and what is now a privilege would be exercised as a right by all vessels of the colony, however small. This would doubtless lead to claims from the mercantile marine of this country and of other colonies to a similar privilege, and might result in its becoming necessary to alter the law as to colours.

8. It is possible that your Government has not fully realised that the Bill, if it comes into force, would seriously interfere with existing arrangements; and I shall be glad to receive a full expression of the views of your Ministers after they have considered the objections set forth above.

9. I take this opportunity to acknowledge the receipt of Sir R. Stout's despatch No. 80, of the 25th October last, relative to the form of the reservation clause in "The New Zealand Ensign Act, 1900." I prefer the form which was suggested in Lord Derby's circular despatch of the 20th June, 1884; but the form used in the present Bill appears to me sufficient for all practical purposes.

I have, &c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly,
K.C.M.G., &c.