**Using the Aboriginal Flag: A Short Guide for Schools and TAFEs**

**How can schools and TAFEs use the Aboriginal flag?**

On 25 January 2022, the Aboriginal flag was made ‘freely available for public use’. Some examples of commercial and non-commercial uses that are now permitted, include:

* printing the Aboriginal flag on apparel such as shirts and sports jerseys
* painting the Aboriginal flag on sports grounds
* posting the Aboriginal flag on websites
* incorporating the Aboriginal flag into paintings and other artworks.

**Are there any limitations to using the flag?**

Yes, there are limitations to using the Aboriginal flag, however, these are easy to observe where schools and TAFEs use the flag in a respectful way. Examples of this are set out below.

***Government Guidelines***

The Government has not yet [published](https://smartcopying.edu.au/glossary/published/) guidelines for the use of the Aboriginal flag, however, in line with guidelines for the use of the Australian flag, schools and TAFEs should ensure they:

* use the flag in a dignified manner
* [reproduce](https://smartcopying.edu.au/glossary/reproduction/) it completely and accurately
* do not cover the image with other words, illustrations or objects.

For more information, see the [Commercial Use of the Australian National Flag](https://www.pmc.gov.au/government/australian-national-flag/commercial-use-australian-national-flag) webpage.

***Respecting Harold Thomas’ Moral Rights***

Although the Australian Government now owns the copyright, Luritja artist and designer Harold Thomas, retains [moral rights](https://smartcopying.edu.au/glossary/moral-rights/) as the flag’s creator. In order to respect his [moral rights](https://smartcopying.edu.au/glossary/moral-rights/), schools and TAFEs should not:

* use the Aboriginal flag without crediting Thomas as the artist
* materially alter or distort the Aboriginal flag (eg by changing its colours, which have particular symbolic meaning, or dimensions)
* destroy or mutilate the Aboriginal flag
* exhibit or otherwise use the Aboriginal flag in a derogatory, offensive or controversial context.

***Limitations on Commercial Production***

The only organisation permitted to commercially produce or supply Aboriginal flags or bunting is [Carrol & Richardson Flagworld](https://www.flagworld.com.au/?gclid=EAIaIQobChMIpbqg4_b3-gIV65VLBR0EDAKzEAAYASAAEgJWA_D_BwE), which has the exclusive [licence](https://smartcopying.edu.au/glossary/licence/) to manufacture Aboriginal flags.

**What if I want to use the Torres Strait Islander flag?**

While the Australian and Aboriginal flags are owned by the Government, the Torres Strait Islander flag is owned by the Torres Strait Island Regional Council and their fifteen communities. Permission is not required to fly the Torres Strait Islander flag, however, permission is required to [reproduce](https://smartcopying.edu.au/glossary/reproduction/) it. Further information on reproduction requirements are available on the [Torres Strait Island Regional Council](http://www.tsirc.qld.gov.au/our-work/torres-strait-islander-flag) website.

**Further Information**

For more information see the:

* Government’s press release, ‘[Free Use of Aboriginal Flag Secured for All Australians](https://www.indigenous.gov.au/news-and-media/announcements/free-use-aboriginal-flag-secured-all-australians)’
* [Australian Flags booklet](https://www.pmc.gov.au/resource-centre/government/australian-flags-booklet-0), [published](https://smartcopying.edu.au/glossary/published/) by the Department of the Prime Minister and Cabinet
* [Australian Institute of Aboriginal and Torres Strait Islander Studies’](https://aiatsis.gov.au/explore/aboriginal-flag) webpage.

For further information see the [Smartcopying website](https://smartcopying.edu.au/) or contact your local copyright manager. You can also contact the National Copyright Unit on (02) 7814 3855 or at [smartcopying@det.nsw.edu.au](mailto:smartcopying@det.nsw.edu.au).