



# Returned Servicemen's Badges Act 1956

Reprinted as in force on 10 November 1995

Reprint No. 1\*

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

\* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

# Information about this reprint

This Act is reprinted as at 10 November 1995. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- update citations and references (pt 4, div 2)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit the enacting words (s 42A)
- number and renumber provisions and references (s 43).

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
  - **table of corrected minor errors**
  - **table of renumbered provisions.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’).



Queensland

# Returned Servicemen's Badges Act 1956

## Contents

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		Page
1	Short title .....	3
2	Interpretation .....	3
3	Unauthorised use or possession of badges .....	4
4	Unauthorised use or possession of badges of prescribed returned service personnel associations .....	4
5	Summary proceedings .....	6

### Endnotes

1	Index to endnotes .....	7
2	Date to which amendments incorporated .....	7
3	Key .....	8
4	Table of reprints .....	8
5	List of legislation .....	8
6	List of annotations .....	9
7	Table of corrected minor errors .....	9
8	Table of renumbered provisions .....	10



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# Returned Servicemen's Badges Act 1956

[as amended by all amendments that commenced on or before 10 November 1995]

**An Act relating to the unauthorised use or possession of membership badges issued by the corporation currently named the Returned & Services League of Australia (Queensland Branch) and by other associations**

## 1 Short title

This Act may be cited as the *Returned Servicemen's Badges Act 1956*.

## 2 Interpretation

In this Act—

*league* means the corporation—

- (a) formerly named the Returned Sailors', Soldiers' and Airmen's Imperial League of Australia, Queensland Branch; and
- (b) subsequently named the Returned Services League of Australia (Queensland Branch); and
- (c) now named the Returned & Services League of Australia (Queensland Branch).

*returned service personnel badge* means a badge of the kind issued by the league for the purpose of indicating that the wearer is a member of the league.

### **3 Unauthorised use or possession of badges**

- (1) A person who is not a member of the league shall not wear, or without lawful excuse, have in his or her possession—
  - (a) any returned service personnel badge; or
  - (b) any badge similar to a returned service personnel badge, or so nearly similar to a returned service personnel badge as to be likely to deceive.
- (1A) However, it shall not be an offence against this section for any person who has ceased to be a member of the league to wear or have in his or her possession a returned service personnel badge lawfully obtained by the person while he or she was such a member.
- (2) A person who contravenes this section shall be guilty of an offence.

Maximum penalty—

  - (a) for a first offence—1 penalty unit; and
  - (b) for a subsequent offence—2 penalty units.

### **4 Unauthorised use or possession of badges of prescribed returned service personnel associations**

- (1) In this section—

*prescribed returned service personnel association* means—

  - (a) Gallipoli Legion of Anzacs (Queensland Branch); and
  - (b) Queensland Ex-Prisoners of War Association; and
  - (c) Australian Flying Corps and Royal Australian Air Force Association; and
  - (d) during any time when this Act applies to any association, body, or organisation of persons under a regulation under subsection (2), that association, body, or organisation.

*membership badge*, in relation to any prescribed returned service personnel association, means a badge of the kind

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issued by that association for the purpose of indicating that the wearer is a member thereof.

- (2) Subject to subsection (2A), the Governor in Council may, by regulation, declare that this Act applies to a specified association, body, or organisation of persons.
- (2A) Before by regulation declaring that this Act applies to an association, body, or organisation of persons, the Governor in Council shall be satisfied that such association, body, or organisation is bona fide comprised of discharged service personnel, that is to say—
- (a) members discharged from enlistment or appointment for active service with any of Her Majesty's naval, military, or air forces or with the forces of the United Nations; and
  - (b) members discharged from service with any of Her Majesty's naval, military, or air forces, to which they were or shall be enlisted, appointed or called out during any war in which Her Majesty (or any of Her Majesty's predecessors) was or shall be engaged; and
  - (c) for the purposes of applying this section to females, includes any service forming part of any of the forces referred to in paragraphs (a) and (b), including service as medical practitioner, or nurse, or masseuse or otherwise.
- (3) A person who is not a member of a prescribed returned service personnel association shall not wear, or without lawful excuse, have in his or her possession—
- (a) any membership badge; or
  - (b) any badge similar to a membership badge, or so nearly similar to a membership badge as to be likely to deceive.
- (3A) However, it shall not be an offence against this subsection for any person who has ceased to be a member of a prescribed returned service personnel association to wear or have in his or her possession a membership badge lawfully obtained by the person while he or she was such a member.

[s 5]

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- (4) A person who contravenes this section shall be guilty of an offence.

Maximum penalty—

- (a) for a first offence—1 penalty unit; and  
(b) for a subsequent offence—2 penalty units.

## **5 Summary proceedings**

Offences against this Act may be prosecuted in a summary way under the *Justices Act 1886*.

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## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	7
3 Key . . . . .	8
4 Table of reprints . . . . .	8
5 List of legislation . . . . .	8
6 List of annotations . . . . .	9
7 Table of corrected minor errors . . . . .	9
8 Table of renumbered provisions . . . . .	10

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 10 November 1995. Future amendments of the Returned Servicemen's Badges Act 1956 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
prev	= previous	unnum	= unnumbered
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	1993 Act No. 32	1 March 1994	10 November 1995

### 5 List of legislation

#### **Returned Servicemen's Badges Act 1956 5 Eliz 2 No. 4**

date of assent 29 October 1956

commenced on date of assent

amending legislation—

#### **Returned Servicemen's Badges Act Amendment Act 1957 6 Eliz 2 No. 6**

date of assent 10 April 1957

commenced on date of assent

**Returned Servicemen's Badges Acts Amendment Act 1958 7 Eliz 2 No. 40**

date of assent 21 November 1958  
 commenced on date of assent

**Religious Educational and Charitable Institutions Act and Other Acts Amendment Act 1977 No. 38 pt 4**

date of assent 23 September 1977  
 commenced 1 May 1978 (proc pubd gaz 22 April 1978 p 1641)

**Statute Law (Miscellaneous Provisions) Act 1993 No. 32 s 3 sch 1**

date of assent 3 June 1993  
 commenced 1 March 1994 (1994 SL No. 31)

**6 List of annotations**

**Title** amd 1957 6 Eliz 2 No. 6 s 2; 1977 No. 38 pt 4 s 15  
 sub 1993 No. 32 s 3 sch 1

**Interpretation**

**s 2** def "league" ins 1993 No. 32 s 3 sch 1  
 def "returned service personnel badge" amd R1 (see RA s 24)  
 def "The League" amd 1977 No. 38 pt 4 s 16  
 om 1993 No. 32 s 3 sch 1

**Unauthorised use or possession of badges**

**s 3** amd 1993 No. 32 s 3 sch 1

**Unauthorised use or possession of badges of prescribed returned service personnel associations**

**s 4** ins 1957 6 Eliz 2 No. 6 s 3  
 amd 1958 7 Eliz 2 No. 40 s 2; 1993 No. 32 s 3 sch 1

**Summary proceedings**

**s 5** (prev s 4) renum 1957 6 Eliz 2 No. 6 s 4

**7 Table of corrected minor errors**

under the Reprints Act 1992 s 44

Provision	Description
4(2)	om 'Subject to section (2A)' ins 'Subject to subsection (2A)'

## 8 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
3(1), 2nd sentence . . . . .	3(1A)
4(2A)(i) . . . . .	4(2A)(a)
4(2A)(ii) . . . . .	4(2A)(b)
4(2A)(iii) . . . . .	4(2A)(c)
4(3), 2nd sentence . . . . .	4(3A)

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