



Returned Servicemen's Badges Act 1956

Current as at 10 November 1995—revised version

Reprint note

Redundant endnotes tables have been omitted from this reprint to reflect current styles.

This version was produced on 10 August 2015.

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Returned Servicemen's Badges Act 1956

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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

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]

- (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*.

1 Index to endnotes

- 2 Key
- 3 Table of reprints
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- 6 Table of renumbered provisions

2 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 version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	

Key	Explanation	Key	Explanation
prev	=	previous	

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the

Reprints Act 1992

used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments to	Effective	Reprint date
1	1993 Act No. 32	1 March 1994	10 November 1995
	Current as at	Amendments included	Notes
	10 November 1995 rv	1993 Act No. 32	

4 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)

5 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

6 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)

Previous Renumbered as

4(2A)(iii) 4(2A)(c)

4(3), 2nd sentence 4(3A)

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