

6 ELIZ. II. No. 6, 1957. *Returned Servicemen's Badges Act, Etc., Act.*

3. (1.) A person who is not a member of the League shall not wear, or without lawful excuse, have in his possession—

Unauthorised use or possession of badges.

(a) Any returned serviceman's badge; or

(b) Any badge similar to a returned serviceman's badge, or so nearly similar to a returned serviceman's badge as to be likely to deceive:

Provided that 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 possession a returned serviceman's badge lawfully obtained by him while he was such a member.

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

Penalty: For a first offence, ten pounds. For a subsequent offence, fifty pounds.

4. Offences against this Act may be prosecuted in a summary way under **"The Justices Acts, 1886 to 1956."*

Summary proceedings.

An Act to Amend "The Returned Servicemen's Badges Act of 1956," in certain particulars.

6 ELIZ. II.
No. 6.

THE
RETURNED
SERVICEMEN'S
BADGES ACT
AMENDMENT
ACT OF
1957.

[ASSENTED TO 10TH APRIL, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) This Act may be cited as "*The Returned Servicemen's Badges Act Amendment Act of 1957.*"

Short title.

(2.) † "*The Returned Servicemen's Badges Act of 1956,*" is in this Act referred to as the Principal Act.

Principal Act.

* 50 V. No. 17 and amending Acts.

† 5 Eliz. 2 No. 4.

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Collective
title.

(3.) The Principal Act and this Act may be collectively cited as "*The Returned Servicemen's Badges Acts, 1956 to 1957.*"

Amendment
of long
title.

2. The Long Title of the Principal Act is amended by adding thereto the words "and by other Associations of Returned Servicemen".

New s. 4
inserted.

3. The following section is inserted after section three of the Principal Act, namely:—

Unauthor-
ised use or
possession of
badges of
prescribed
returned
servicemen's
associations.

"[4.] (1.) In this section—

"Prescribed returned servicemen's association" means—

(a) Gallipoli Legion of Anzacs (Queensland Branch); and

(b) During any time when this Act applies to any association, body, or organisation of persons pursuant to an Order in Council made hereunder, that association, body, or organisation;

"Membership badge"—In relation to any prescribed returned servicemen's association, means a badge of the kind issued by that association for the purpose of indicating that the wearer is a member thereof.

(2.) (a) Subject to this subsection the Governor in Council may, by Order in Council published in the *Gazette*, declare that this Act applies to the association, body, or organisation of persons specified in the Order in Council.

(b) The Governor in Council may, by an Order in Council published in the *Gazette*, revoke any Order in Council made by him under paragraph (a) of this subsection.

(c) Before by Order in Council declaring that this Act applies to an association, body, or organisation of persons, the Governor in Council shall satisfy himself that such association, body, or organisation is *bona fide* comprised of discharged servicemen, that is to say—

(i.) 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;

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- (ii.) 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 predecessors) was or shall be engaged; and
- (iii.) For the purposes of applying this section to females, includes any service forming part of any of the forces referred to in subparagraphs (i.) and (ii.) of this paragraph, including service as medical practitioner, or nurse, or masseuse or otherwise.

(d) Every Order in Council made under this section shall, upon its publication in the *Gazette*, be judicially noticed and such publication shall be conclusive evidence of the matters contained therein.

(3.) A person who is not a member of a prescribed returned servicemen's association shall not wear, or without lawful excuse, have in his 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:

Provided that it shall not be an offence against this subsection for any person who has ceased to be a member of a prescribed returned servicemen's association to wear or have in his possession a membership badge lawfully obtained by him while he was such a member.

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

Penalty: For a first offence, ten pounds. For a subsequent offence, fifty pounds."

4. Section four of the Principal Act is renumbered Section 4
renumbered. section five thereof.