



Returned Servicemen's Badges Act 1956

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Reprint note

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

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Queensland

Returned Servicemen's Badges Act 1956

Contents

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

Returned Servicemen's Badges Act 1956

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.

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- (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.
- (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*.