

Discharged Servicemen's Badges Act 1964 No 49

[1964-49]



New South Wales

Status Information

Currency of version

Historical version for 22 July 2003 to 5 July 2009 (accessed 27 June 2024 at 0:31)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
 - [Miscellaneous Acts \(Local Court\) Amendment Act 2007 No 94](#) (not commenced)
 - [Statute Law \(Miscellaneous Provisions\) Act 2009 No 56](#) (not commenced — to commence on 17.7.2009)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Discharged Servicemen's Badges Act 1964 No 49



New South Wales

An Act relating to the wearing of membership badges issued by certain associations of discharged servicemen; and for purposes connected therewith.

1 Name of Act

This Act may be cited as the *Discharged Servicemen's Badges Act 1964*.

2 Interpretation

- (1) In this Act, **Discharged servicemen's association** means the body specified in the Schedule and any body whose name is, for the time being, added to that Schedule pursuant to subsection (2).
- (2) Where a request in writing is made to the Governor by any body that the name of that body be added to the Schedule and the Governor is satisfied that that body is principally comprised of a substantial number of persons who have been discharged from enlistment or appointment for service with any of Her Majesty's Naval, Military or Air Forces or with the forces of the United Nations, the Governor may, by order published in the Gazette, add the name of that body to the Schedule.

3 Unauthorised wearing of badges

- (1) A person shall not, without lawful excuse, wear:
 - (a) a badge of a kind issued by a discharged servicemen's association for the purpose of indicating that a person is a member of that association, unless he is a member of that association, or
 - (b) a badge, not being a badge referred to in paragraph (a), similar to such a badge or so nearly similar thereto as to be likely to deceive.
- (2) Where a person who has been, but by reason only of his failure to pay to a discharged servicemen's association any moneys payable under the rules of that association, has ceased to be, a member of that association, would be guilty of an offence arising under paragraph (a) of subsection (1), he shall not be guilty of that offence by reason

of his wearing a badge of a kind issued by that association unless:

- (a) he has been served, in the manner provided by those rules, with notice of his failure to pay those moneys, and
- (b) he has failed to pay those moneys within the time specified in the notice or, where no time is so specified, within one month after the notice has been so served.

4 Penalty and proceedings for offences

- (1) A person guilty of an offence against this Act is liable to a penalty not exceeding 2 penalty units.
- (2) All proceedings for offences against this Act shall be disposed of summarily before a Local Court.

Schedule

Returned and Services League of Australia (New South Wales Branch).
Australian Flying Corps and Royal Australian Air Force Association, New South Wales Division.
Australian Legion of Ex-Servicemen and Women.
Naval Association of Australia.
T.B. Sailors, Soldiers' & Airmen's Association of New South Wales Incorporated.
The Totally and Permanently Disabled Soldiers' Association of Australia (New South Wales Branch).
NSW Association of Jewish Ex-Servicemen & Women.
Partially Blinded Soldiers' Association of Australia (New South Wales Branch).
Royal Australian Armoured Corps Association of New South Wales.
Thirtyniners' Association of Australia.
New South Wales Ex-Prisoners of War Association.
Gallipoli Legion of Anzacs of New South Wales.