



New South Wales

## State Arms, Symbols and Emblems Bill 2003

### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament. \*

### Overview of Bill

The objects of this Bill are:

- (a) to cause the practice of displaying and otherwise using the Royal arms of the United Kingdom in connection with Parliament, the courts, the office of Governor and State instrumentalities to be discontinued, and to require the State arms or State symbols to be used instead, and
- (b) to confirm the form of the current State arms, symbols and emblems and to make provision for them to be changed in the future, and
- (c) to restrict the use of State arms and State symbols.

### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

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\* Amended in committee—see table at end of volume.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** defines certain words and expressions used in the proposed Act, including “State arms”, “State emblem” and “State symbol”.

**Clause 4** provides that the State arms or State symbols, rather than the Royal arms of the United Kingdom, are to represent the authority of the State in a Parliament building, a courthouse, an office or official residence of the Governor or a Government office, and in any other place or building, and on any seal or document, used for official purposes.

**Clause 5** empowers the Governor-in-Council to assign new State arms, symbols or emblems, to withdraw or alter any State arms or symbols, and to discontinue recognition of anything as a State emblem.

**Clause 6** requires that, as soon as practicable (but in any event within 3 years) after the commencement of the proposed Act, the Royal arms of the United Kingdom, where displayed or otherwise used in or on any public building or public place or on any official seal or document intended for future use are to be replaced by the State arms, except in limited circumstances.

**Clause 7** establishes the State Heraldry Advisory Committee which will advise the Premier on matters arising for decision under the proposed Act.

**Clause 8** creates an offence if a person uses the State arms or a State symbol otherwise than exclusively for loyal and patriotic purposes or in other specified circumstances.

**Clause 9** provides for offences against proposed section 8 to be disposed of before a Local Court.

**Clause 10** repeals the *Unauthorised Documents Act 1922*.

**Schedule 1** specifies the State arms.

**Schedule 2** specifies State symbols, namely the State badge and the State flag.

**Schedule 3** describes the State emblems, namely the platypus, kookaburra, waratah and blue groper.