

- 5.2 Other conditions stipulated by Buckingham Palace include:
- 5.2.1 no other similar body in the State already holds the title;
 - 5.2.2 where there are other bodies in the same field in other States, the Palace would prefer to wait until there is an Australia-wide body before granting approval;
 - 5.2.3 hospitals no longer eligible;
 - 5.2.4 sporting clubs no longer eligible (although sporting organisations administering major sports may be considered).
- 5.3 State Organisations wishing to be granted use the prefix "Royal" must apply in writing to the Premier. The application must be accompanied by the documents listed in 5.3.1 to 5.3.5.
- 5.3.1 The Rules, Regulations and By-laws, or the Constitution of the organisation;
 - 5.3.2 A list of the current members of the organisation;
 - 5.3.3 A list showing the names of the Office Bearers of the organisation;
 - 5.3.4 A copy of the last balance sheet and financial statement of the organisation;
 - 5.3.5 A statement setting out the history, objects, activities and achievements of the organisation concerned.
- (Note: National organisations must apply to the Governor-General)*
- 5.4 The Premier has sole discretion in this matter and can decline to recommend an organisation for the prefix 'Royal' on the following grounds:
- 5.4.1 the organisation does not meet the criteria outlined in 5.1 or 5.2;
 - 5.4.2 the practice is not supported by the current Government.
- [Note: The precedence for 5.4.2 is the decision of the Commonwealth Government (ALP) in 1983 that it did not intend to support applications (from national organisations) for the granting of the prefix 'Royal' and no such applications have since been approved - refer Attachment 3, page 3, paragraph (d)].*
- 5.5 In assessing an application, the Premier may make any enquiries they deem appropriate, including seeking advice from the relevant Minister or Government Department. If the Premier supports (or has no objection to) an application, it is then transmitted to the Governor with the Premier's recommendation.
- 5.6 The Governor then considers the application before forwarding it direct to Buckingham Palace. A copy is also forwarded to the Governor-General, in accordance with Buckingham Palace's wish that State Government Houses keep the Governor-General informed about matters affecting the Sovereign's prerogatives. The Governor-General may also provide Buckingham Palace with advice on the application (from a national perspective), if this was felt to be appropriate.
- 5.7 The granting of approval to an organisation to use the prefix 'Royal' does not entitle that organisation to use the crown insignia or any other royal insignia.

5.8 A related matter concerns the registration of business names. Section 27 of the *Commonwealth Business Names Registration Act 2011*, administered by the Australian Securities and Investments Commission (ASIC), provides for the restriction on registration of business names that are undesirable. Sub-section 27 (1) of the Act addresses:

5.8.1 Names which, in the context in which they are proposed to be used, are capable of suggesting:

- (a) connection with a member of the Royal Family when the connection suggested does not exist; or
- (b) that Royal patronage has been received when this is not the case.

5.9 Registration of business names were originally administered under the Queensland *Business Names Act 1962-1990*, however this act was repealed and responsibility transitioned to ASIC under the *Business Names (Commonwealth Powers) Act 2011* which was assented to on 28 October 2011.

6. Responsibilities

6.1 The Director, Protocol and International Engagement, is responsible for the administration of this policy.

7. Actions

7.1 All enquiries relating to this policy or to the procedures should be directed to:

- The Director
Protocol and International Engagement
Department of the Premier and Cabinet
PO Box 15185
CITY EAST QLD 4002

Tel: (07) 3003 9253
Email: protocol@premiers.qld.gov.au

7.2 State organisations that wish to obtain approval to use the prefix "Royal" must apply in writing to the Premier of the State. The application must be accompanied by the documents listed in 5.3.1 to 5.3.5. National organisations should apply direct to the Governor-General.

7.3 All applications are assessed by the Director, Protocol and International Engagement, in accordance with the guidelines and conditions outlined in 5.1 and 5.2, following which a recommendation is submitted by the Director-General to the Premier for consideration.

7.4 If the Premier supports (or has no objection to) the application, it is then forwarded to the Governor with a letter of recommendation (signed by the Premier).

- 7.5 The procedures followed by Government House are generally as outlined in 5.6.
- 7.6 Following receipt of advice from Government House that approval to use the prefix 'Royal' has been granted, a letter is prepared for the Premier's signature informing the organisation of such approval.
- 7.7 A notice is also published in Queensland Government Gazette. After publication, copies are distributed to the following:
- 7.7.1 The organisation concerned;
 - 7.7.2 The Official Secretary, Government House;
 - 7.7.3 The relevant Minister or Department.
- 7.8 The lists contained in Attachment 4 are also up-dated.

8. Attachments

- Attachment 1 Extracts from the *Memorandum Recording Agreements Regarding Section 7 of the Australia Acts and Established Practice Taking Into Account the Australia Acts*, 16 February 1989.
- Attachment 2 *Prefix 'Royal' Memorials and Monuments - Guidelines for Submission - 2017 Lists*.