

SECTION: Protocol and International Engagement NUMBER:

SUBJECT: Use of State Emblems AUTHORISED:

1. Purpose

- 1.1 This policy articulates the guidelines established by the Queensland Government regarding the use of Queensland's emblems. It clarifies the circumstances under which approval may be granted for the use of the State Coat of Arms and the State Badge and the use of other proclaimed emblems of Queensland.

2. Scope

- 2.1 This policy covers use or reproduction of the State's emblems by companies or individuals.
- 2.2 The emblems covered by this policy are as follows:
- 2.2.1 The Coat of Arms of Queensland
 - 2.2.2 The State Badge
 - 2.2.3 The Queensland Flag
 - 2.2.4 The Faunal Emblem (Koala)
 - 2.2.5 The Floral Emblem (Cooktown Orchid)
 - 2.2.6 The Bird Emblem (Brolga)
 - 2.2.7 The State Gem (Sapphire)
 - 2.2.8 The Aquatic Emblem (Barrier Reef Anemone Fish)

3. Definitions

- 3.1 **“lawful authority”** – under s.4(3) of the *Emblems of Queensland Act 2005*, lawful authority is defined as the authority of either the Queen, the Governor in Council, the Premier, or of a law of the Commonwealth.
- 3.2 **“relevant enterprise”** – under s.4(3) of the *Emblems of Queensland Act 2005*, a relevant enterprise is defined as a club or association; a business; or a profession, trade or calling.
- 3.3 **“person”** – under s.32D of the *Acts Interpretation Act 1954*, a person includes a reference to a corporation as well as an individual.

4. Background

- 4.1 Use of the Coat of Arms (2.2.1) and the State Badge (2.2.2) is governed by the *Emblems of Queensland Act 2005* (the Act). Under the Act, a person must not assume, use or publish the Coat of Arms and/or the State Badge in connection with a relevant enterprise without lawful authority. Use of a coat of arms or badge closely resembling the Queensland Coat of Arms or the State Badge is also an offence under this legislation. However, the restriction on the use of the State Badge does not include when it appears as part of the Queensland Flag.
- 4.2 The prohibition on the use of the Coat of Arms and State Badge only applies to activity performed in connection with a relevant enterprise (primarily commercial or business activities). Therefore, there is no prohibition on individuals reproducing the Coat of Arms or State Badge for personal purposes such as school assignments.
- 4.3 The use or reproduction of Queensland's other emblems (2.2.3 to 2.2.8) is not restricted by the Act or any other legislation. Accordingly, anyone wishing to use or reproduce these other emblems may do so without the need to firstly obtain Government approval. However, care should be taken not to infringe upon any copyright involved with particular artistic representations.
- 4.4 The authority to authorise assumption, use or publication of the Coat of Arms or State Badge is with the Premier.

5. Guidelines

- 5.1 The guidelines used when determining who is entitled to use or reproduce the Coat of Arms and/or the State Badge and the circumstances under which lawful authority may be granted are as follows:
 - 5.1.1 As the Act does not apply to the Government, there is no restriction on the use of the Coat of Arms or State Badge by Queensland Government Ministers, Government Departments or agencies of those Departments when used or reproduced for official Government purposes on stationery, publications, invitations, etc, or to identify a Government office or building.
 - 5.1.2 Permission may be granted to Queensland Government Departments or agencies of those Departments to incorporate the State Badge (but not the Coat of Arms) in the design of a badge or insignia for the Department or agency. In such cases, a detailed design of the proposed badge or insignia must be submitted before approval can be granted.
 - 5.1.3 Use or reproduction of the Coat of Arms or the State Badge for business or commercial purposes, or in connection with a club or association, by any company or individual, is prohibited. However, exceptions are permitted in particular circumstances, such as that outlined below:
 - when the proposed use or reproduction is for informative or educational purposes (eg in a reference book, chart, etc).

(In such cases, a detailed draft or proof of the final proposal (ie pictures and text) must be submitted before approval can be granted. Approval, if granted, is conditional upon a suitable acknowledgment appearing in the publication that Queensland Government approval has been obtained for the reproduction.)

- when the proposed use or reproduction is for promotional or publicity purposes to indicate that a project or event (eg a conference) has the support of, or is being sponsored by, the Queensland Government.

(This applies to the use or reproduction of the Coat of Arms only. Approval, if granted, is conditional upon appropriate words, such as "This event is being sponsored by the Queensland Government" appearing with the Coat of Arms.)

5.1.4 Use of the State Badge (but not the Coat of Arms) may be granted to the State Branch of a national organisation for incorporation in the design of the Branch's badge or insignia to identify it as representing Queensland. Only organisations engaged in non-commercial activities are eligible (eg sporting, professional or community organisations). In all such cases, the organisation must submit a detailed design of the proposed badge or insignia before approval can be granted.

5.2 The heraldic principles and guidelines that should be observed when reproducing the Coat of Arms and/or the State Badge are outlined below:

5.2.1 The Coat of Arms should stand alone and should not be encircled or incorporated into the design of another badge or emblem.

5.2.2 The State Badge may be incorporated in the design of another badge or emblem, subject to the approval of the lawful authority.

5.2.3 The Coat of Arms and the State Badge may be reproduced either in single or full colour. When being reproduced in full colour, it is up to the artist interpreting the colours to decide which particular tone or shade of a colour is best suited. There are no particular PMS (Pantone Matching System) numbers for the colours specified in the heraldic descriptions of either the Coat of Arms or the State Badge. As long as azure (blue) is clearly depicted as blue and not green or purple then this is heraldically correct.

6. Responsibilities

6.1 Protocol and International Engagement will provide advice in relation to acceptable use and representation of the State Coat of Arms and State Badge.

7. Actions

- 7.1 All requests for permission to use the State Coat of Arms and/or the State Badge should be submitted in writing to:

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