

Rush, Peter

**From:** Rush, Peter  
**Sent:** Thursday, 13 November 2014 3:59 PM  
**To:** David White s 22  
**Cc:** s 22  
**Subject:** Order of Australia [SEC=UNCLASSIFIED]

UNCLASSIFIED

David: It was a pleasure to meet you today and I hope that you enjoy the rest of your time in Australia.

As discussed, the Constitution of the Order of Australia is available at  
[http://www.gg.gov.au/sites/default/files/feature/order\\_of\\_australia\\_booklet\\_2014.pdf](http://www.gg.gov.au/sites/default/files/feature/order_of_australia_booklet_2014.pdf)

Interestingly, it includes the following (my highlight):

**ARMORIAL BEARINGS**

16 (1) In any Armorial Bearings granted by the Garter Principal King of Arms to a member of the Order, armorial indications of rank within the Order may be included in accordance with this sub-regulation.

(2) Knights and Dames may be granted supporters.

(3) A Knight, Dame, Companion or Officer of the Order may surround his or her armorial bearings with a circlet of the same design and colours as the circlet that is at the centre of the Badge of a Companion of the Order and may suspend therefrom a representation of the Ribbon of the Order together with:

(a) in the case of a Knight or Dame—a representation of the Neck Badge of a Knight; and

(b) in the case of a Companion or Officer—a representation of his or her Badge.

(4) A Member of the Order may suspend a representation of the Badge of Member and the Ribbon of the Order from the bottom of the escutcheon containing his or her armorial bearings.

(5) The holder of a Medal of the Order may suspend a representation of the Medal and the Ribbon of the Order from the bottom of the escutcheon containing his or her armorial bearings.

Regards,

**Peter Rush**

Assistant Secretary | Honours, Symbols and Territories Branch  
Government Division | Department of the Prime Minister and Cabinet

s 22 m. s 22 f. 02 6271 5776

e. [peter.rush@pmc.gov.au](mailto:peter.rush@pmc.gov.au)

[www.dpmc.gov.au](http://www.dpmc.gov.au) | [www.itsanhonour.gov.au](http://www.itsanhonour.gov.au)

One National Circuit BARTON

PO Box 6500 Canberra ACT 2600

*The Department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.*

s 22

Senator The Honourable George Brandis QC  
 Attorney-General for Australia  
 GPO Box 228  
 BRISBANE QLD 4001

Dear Sir

**Patriation of Heraldic Authority**

AG - RECEIVED	
<input type="checkbox"/> Priority A (Date .....	<input type="checkbox"/> Reply by AG
<input type="checkbox"/> Priority B	<input type="checkbox"/> Reply by LHM
<input type="checkbox"/> Priority C	<input type="checkbox"/> Sub Required
<input type="checkbox"/> Information	<input type="checkbox"/> Reply by C&D
<input type="checkbox"/> App. Action	<input type="checkbox"/> Reply by Dept
<input type="checkbox"/> Inaction	Action Area:
<input checked="" type="checkbox"/> Refer to	Init: <i>AM</i>
<i>ALAC</i>	Date: <i>29/4</i>

*(Honourary Heraldic Authority)*

I recently wrote to the Prime Minister congratulating him on resuming the nomination to the Queen of appointments as Knight or Dame of the Order of Australia, and I extend those congratulations to you. This is a long overdue reform of the Australian honours system. I noted in my letter that the current *Insignia Ordinance*, dated 4<sup>th</sup> November 1993, describes the insignia of a Knight or Dame of the Order, and also provides for the indications of rank to be included in any coat of arms granted to any member of the Order.

I draw your attention to Clause 16 of the *Ordinance* that provides for the use of armorial bearings, and especially to sub-clause (1) which restricts the recognition of armorial bearings for members of the Order to only those granted by the English heraldic authority (Garter King of Arms).

I believe that the reforms of the honours system initiated by you and the Prime Minister will be enhanced by amending this clause to provide for the recognition of armorial bearings granted by the Australian Crown in the exercise of its prerogative.

The granting of arms by the Australian Crown through its own heraldic agents would require the patriation of heraldic authority, as has already occurred in Canada and some other Commonwealth realms. The patriation of Australia's heraldic sovereignty will enhance the rejuvenation of the Australian honours system that you have commenced, allow Australia to develop its own heraldic arts and identity, and make available to Australian citizens and corporate bodies to right to seek and accept a grant of arms from their own sovereign rather than having to continue to seek such grants from overseas authorities in London, Edinburgh, Dublin and elsewhere.

Once again, my congratulations on the recent reforms to the honours system, and I commend the patriation of heraldic authority as a further necessary and useful reform of the honours system to your attention.

s 22



PARLIAMENTARY SECRETARY  
TO THE PRIME MINISTER

Reference: C15/60067

11 AUG 2015

s 22

Dear s 22

Thank you for your letter dated 18 June 2015 regarding your proposal for the creation of an Australian Heraldic Authority.

The College of Arms is the official heraldic authority for England, Wales, Northern Ireland and much of the Commonwealth including Australia and New Zealand.

The practice of the College of Arms granting armorial bearings to Australians is well established. It has been the position of successive Commonwealth Governments to accept the jurisdiction of the College of Arms to grant coats of arms to Australians and we do not consider there is any reason to reject the jurisdiction of the College of Arms.

I am grateful for your diligent participation in our national honours system however the Government is not inclined to create an Australian Heraldic Authority at this time.

Yours sincerely

s 22

CHRISTIAN PORTER

s 22

Your Ref: B15/982

Hon Christian Porter MP  
 Parliamentary Secretary to the Prime Minister  
 PO Box 2226  
 ELLENBROOK WA 6069  
 Christian.porter.mp@aph.gov.au

Dear Mr Porter

### Australian Heraldic Authority

I refer to your letter s 22 regarding the exercise of heraldic authority in Australia. s 22 I have been apprised of the letter, and am now writing to you in my personal capacity.

Firstly, I was pleased to see a response from the Prime Minister's Office actually addressing issues raised about heraldic authority, for which I thank you.

However, I am greatly disappointed at the content of your response, in particular the argument that:

- i. "It has been the position of successive Commonwealth Governments to accept the jurisdiction of the College of Arms to grant arms to Australians"
- ii. "We do not consider there is any reason to reject the jurisdiction of the College of Arms"
- iii. "... the Government is not inclined to create an Australian Heraldic Authority at this time"

I am at a complete loss to understand why you so willingly defer to the authority asserted by an overseas agency. I am even more perplexed that your second statement and conclusion go further than any previous Commonwealth government has done, at least to the best of my knowledge, in conceding to that overseas agency control of a significant aspect of Australia's sovereignty.

The fundamental argument of The Australian Heraldry Society and heraldic scholars is that *officers of the Queen of Australia should exercise the heraldic prerogatives of the Queen of Australia here in Australia*. The proposition is simple, and entirely consistent with the Commonwealth of Australia being a sovereign and independent country.

I do not understand how, as a Minister of the Australian Crown, and from what I read and hear in the media, a reasonable and intelligent man, you not only accept but also, in effect, extend within Australia the authority of the officials of a sovereign in another country at the expense of the Australian Crown.

Heraldic authority is a matter of honour and recognition, not constraint and regulation, facts well attested by the Canadian example. Ministers of the Canadian Crown were able to grasp this same argument in relation to the Canadian realm over 25 years ago, and patriated the heraldic prerogatives of the Canadian Crown with

s 22

grace, style and the support of Her Majesty. The outcome has been a flowering of the heraldic arts in that country. The capacities for Canadian governments at all levels, for indigenous groups, for individuals and corporations, for women and men of all ages and cultural backgrounds, to contribute to the continuing evolution of Canada's cultural symbols and social cohesion, in ways consistent with the contemporary mores of a liberal Western democracy, have been greatly enhanced. Canadian heraldry is now recognized as leading the world in the development of heraldry and visual symbols of personal, family, corporate and civic identity. Opportunities for small businesses providing heraldic arts and crafts and heraldic research have been created and sustained. It has been a stunning achievement that has strengthened the bonds between the Queen of Canada and the people of Canada at a most fundamental level, and provided a model for the stable and enduring patriation of heraldic authority in every other Commonwealth country.

By contrast Australian governments choose to continue deferring to functionaries in another country when it comes to matters heraldic. The reasons for this continuing obeisance are, at best, opaque and difficult to comprehend, but the result is very clear. Australians seeking a grant of arms are forced to approach overseas authorities, pay very high fees and charges and invest considerable time, all at the indulgence of overseas officials, while at the same time being denied any certainty when investing in their own intangible heraldic property. The patriation of heraldic authority would locate Australia's heraldic authority within its home realm, offer all Australians the choice of a grant of arms from their own sovereign, in a fair and timely manner and with certainty of title, as is, I believe, the right of every citizen of our Commonwealth.

I ask you, please, to take some time to make yourself better acquainted with the arguments in favour of patriating heraldic authority, and to give more thought and consideration to the very simple request being made, and which has been consistently made for over forty years to successive Commonwealth governments: *that the heraldic prerogatives of the Queen of Australia be, as soon as possible, patriated and exercised in their proper home here in Australia by officers of the Australian Crown.*

Once again, thank you for taking the time to acknowledge and respond to s 22 correspondence. Your attention to this matter is appreciated. If I can provide any assistance to you by way of independent advice or information for your further consideration, please do not hesitate to contact me, as I am more than happy to do so.

Yours sincerely

s 22

18th June 2015





**The Hon Dr Andrew Leigh MP**  
**Parliamentary Secretary to the Prime Minister**

Reference: C13/28660

s 22

06 JUN 2013

s 22

Dear

Thank you for your letter of 27 May 2013 to the Hon Mark Dreyfus QC MP, Attorney-General, on behalf of your constituents regarding the establishment of an Australian heraldic authority. Your letter was referred to me because of my responsibility within the Prime Minister's portfolio for Australian honours and symbols policy.

The Australian Government has no intention to support the establishment of an Australian heraldry authority at this time.

I trust that this information is of assistance to you and your constituents.

Yours sincerely

s 22

Andrew Leigh

s 22

27 May 2013

The Hon Mark Dreyfus QC MC  
 Attorney-General  
 PO Box 6022  
 Parliament House  
 CANBERRA 2600

Dear Attorney-General

**Re: Australian Heraldic Authority**

I have been contacted by constituents favouring the establishment of an Australian Heraldic Authority. The view of many in favour is that its absence is constitutionally inappropriate and also that its establishment would provide an opportunity to further promote our independence and sovereignty.

I therefore ask if you can advise whether consideration has been given to the establishment of an Australian Heraldic Authority.

s 22

AG - RECEIVED	
<input checked="" type="checkbox"/> Priority A (Date .....)	<input checked="" type="checkbox"/> Reply by AG
<input type="checkbox"/> Priority B	<input type="checkbox"/> Reply by MHA
<input type="checkbox"/> Priority C	<input type="checkbox"/> Reply by MEM
<input type="checkbox"/> Information	<input type="checkbox"/> Brief Required
<input type="checkbox"/> App. Action	<input type="checkbox"/> Reply by CoS
<input type="checkbox"/> NFA	<input type="checkbox"/> Reply by Dept
<input type="checkbox"/> Invitation	Action Area:
<input type="checkbox"/> Refer to	Init: <i>AC</i>
	Date: <i>28/5</i>



PARLIAMENTARY SECRETARY  
TO THE PRIME MINISTER

Reference: C15/61025

03 JUL 2015

s 22

Dear s 22

Thank you for your letter to the Speaker of the House of Representatives, the Hon Bronwyn Bishop MP, dated 12 June 2015 regarding your proposal for the creation of an Australian Heraldic Authority. I am responsible for honours policy within the Prime Minister's portfolio and I have been asked to reply to your letter.

It has been the position of successive Commonwealth Governments to accept the jurisdiction of the College of Arms to grant coats of arms to Australians and we do not consider there is any reason to reject the jurisdiction of the College of Arms.

I am grateful for your diligent participation in our national honours system however the Government is not inclined to create an Australian Heraldic Authority at this time.

I have provided a copy of this letter to the Speaker.

Yours sincerely

s 22

CHRISTIAN PORTER





**THE HON BRONWYN BISHOP MP**  
**Speaker of the House of Representatives**

The Hon. Tony Abbott MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

*Tony,*  
Dear Prime Minister

Please find enclosed correspondence from s 22

s 22 letter relates to the establishment of an Australian heraldic authority, a subject which I understand falls within the responsibility of the Department of Prime Minister and Cabinet.

Thank you for taking the time to consider the matters raised by s 22

Yours sincerely

s 22

**THE HON. BRONWYN BISHOP MP**

**24 JUN 2015**

RECEIVED  
25 JUN 2015

s 22



The Hon Bronwyn Bishop MP  
 Speaker of the House of Representatives  
 PO Box 6022  
 House of Representatives  
 Parliament House  
 CANBERRA ACT 2600

12<sup>th</sup> June, 2015

Dear Madam Speaker

I am writing to you in your capacities as Speaker of the House and as a strong supporter of Constitutional Monarchy.

s 22

s 22

s 22

on the development of the Canadian Honours System and on the Canadian Heraldic Authority, both of which function through the Office of the Governor-General. Canada has patriated the heraldic powers of the Crown and has developed an outstanding *corpus* of heraldic symbols, badges, insignia flags and banners and has promoted these as being honours conferred by the Crown. Canada has also established a public register of all arms, symbols, flags and insignia.

I was surprised to hear that as recently as last month the Parliamentary Secretary to the Prime Minister (Mr Christopher Porter MP) had stated that there is no intention of the part of the Australian Government to adopt an Heraldic Authority and that the Government is quite content to leave matters of heraldry – at least in the case of individual arms – in Australia to the College of Arms in London.

I would submit that this is “missing the bus” in that it ignores the importance of high quality heraldic symbols in fostering national identity and pride and in the development of a uniquely Australian style of heraldry. I feel that Mr Porter might have limited his view of heraldry to the granting of personal arms as opposed to the development of national symbols – and especially the incorporation of indigenous imagery – and the evolution of a central, accessible register of all existing national, military, academic, ecclesiastical, corporate and individual arms, badges and flags within Australia. The development of a small heraldic authority operating through the Office of the Governor General would be able to undertake this function and would – through the use of moderate, affordable, registration costs be self-funding. As in Canada, it could commission capable artists and thus ensure a high level of artistic merit. An Australian authority could establish a uniquely Australian practice – Canada did so, and has evolved its own approach, freed from the ancient and arcane practices and vocabulary of the College of Arms. Canada has stressed the role of the Crown in granting of arms, giving emphasis to such a grant being an honour bestowed by the Crown. In Australia consideration could be given to restricting personal arms to those who could demonstrate service to the State, thus overcoming a popular misconception that heraldry is the province of the rich and of stuffy conservatives and demonstrating that it is in fact a dynamic, contemporary phenomenon.

The establishment of such an Authority would only require a request to the Queen for letters patent – the Canadian text was simply: *to authorize and empower Our Governor General of Canada to exercise or provide for the exercise of all power and authorities lawfully belonging to Us as Queen of Canada in respect of the granting of armorial bearings in Canada*”.

Certainly, it does seem both anachronistic and out of step with Australia’s maturity as a nation to leave heraldic matters in the hands of a College in London, established by charter of Richard III and entirely self-regulating. Notably, within the United Kingdom the College only has jurisdiction of England and Wales – in Scotland

heraldry is regulated by the Court of the Lord Lyon which - despite its ancient name - is a statutory authority and the Lord Lyon is a government appointment and the incumbent is a judicial officer. The staff of the Court is comprised of public servants. Several other Commonwealth Nations, in addition to Canada have sought patriation of the Heraldic Prerogative - South Africa, Zimbabwe, Antigua, Kenya and Barbados, Zambia - and New Zealand has its own "Herald Extraordinary" who is affiliated to the College of Arms but lives and works in New Zealand.

There would be no need for undue haste in developing an Australian authority. Canada's letters patent were granted in 1988, three years elapsed before the authority was formally established and it took a further ten years for the authority to become fully functional. The initial step of seeking the appropriate Letters Patent would be more symbolic than anything else, and would serve to further reinforce connections between the Crown and the Nation.

I would urge you to give this serious consideration. Although I am not a serious student of heraldry I would be happy to attempt to answer any queries you might have.

Yours sincerely

s 22



*Attachment: Pamphlets regarding the Canadian Heraldic Authority*

Pamphlet issued by the Office of the Governor General of Canada

---

## THE CANADIAN HERALDIC AUTHORITY



In 1988, heraldry was patriated to Canada through the establishment of the Canadian Heraldic Authority with the governor general of Canada as its head. Heraldry is the most colourful and versatile part of the national honours system serving very diverse groups of recipients across the country.

For centuries, coats of arms, flags and badges have been created to identify governments, institutions of all kinds and individuals, signaling their importance to the country and celebrating the various contributions to the betterment of the community.

Any Canadian government or agency, institutions of all kinds, as well as individual Canadians may request that a heraldic emblem be created and granted to them officially. Application can be made by writing to the Chief Herald of Canada at the Chancellery of Honours.



1-800-O-Canada  
[www.gg.ca](http://www.gg.ca)

OSGG 2007

Pamphlet issued by the Canadian Heraldic Authority

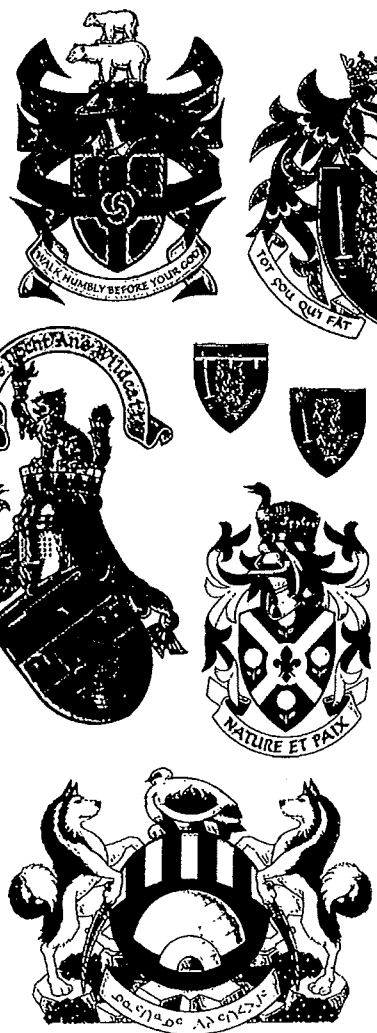
# TELL *your* story

Coats of arms and other heraldic emblems are a powerful and everlasting expression of your life, transmissible to your descendants. They are also created for institutions for identification and promotion purposes.

As part of the Office of the Secretary to the Governor General, the **Canadian Heraldic Authority** is responsible for creating official coats of arms, flags and badges.

LET US CREATE YOUR  
UNIQUE HERALDIC EMBLEM

1-800-465-6980 [WWW.GG.CA/HERALDRY](http://WWW.GG.CA/HERALDRY)



Cette affiche est aussi disponible en français

© Her Majesty The Queen in Right of Canada represented by the Canadian Heraldic Authority (2014)

Note the use of both traditional heraldry and the example of indigenous heraldry,  
bottom right





**Australian Government**

**Department of the Prime Minister and Cabinet**

ANDREW FISHER BUILDING  
ONE NATIONAL CIRCUIT  
BARTON

Reference: C15/62332

~~2015~~ 2015

*10 August 2015.*

s 22

Dear s 22

Thank you for your letter dated 12 June 2015 to the Prime Minister, the Hon Tony Abbott MP, regarding the creation of an Australian Heraldic Authority. I have been asked to reply on the Prime Minister's behalf.

I understand that you have already received a response from the Parliamentary Secretary to the Prime Minister, the Hon Christian Porter MP, who is responsible for Royal matters.

Thank you once again for taking the time to write to the Prime Minister with your views.

Yours sincerely  
s 22

Peter Arnaudo  
Assistant Secretary  
Honours, Symbols and Legal Policy Branch

s 22

The Hon Tony Abbott MP  
Prime Minister  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

12<sup>th</sup> June, 2015

Dear Prime Minister

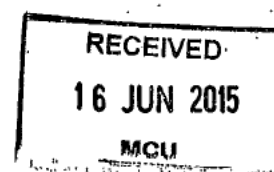
I am writing to you in your capacities as Prime Minister and as a strong supporter of Constitutional Monarchy.

s 22

s 22

s 22

on the development of the Canadian Honours System and on the Canadian Heraldic Authority, both of which function through the Office of the Governor-General. Canada has patriated the heraldic powers of the Crown and has developed an outstanding *corpus* of heraldic symbols, badges, insignia flags and banners and has promoted these as being honours conferred by the Crown. Canada has also established a public register of all arms, symbols, flags and insignia.



I was surprised to hear that as recently as last month the Parliamentary Secretary to the Prime Minister (Mr Christopher Porter MP) had stated that there is no intention of the part of the Australian Government to adopt an Heraldic Authority and that the Government is quite content to leave matters of heraldry - at least in the case of individual arms - in Australia to the College of Arms in London.

I would submit that this is "missing the bus" in that it ignores the importance of high quality heraldic symbols in fostering national identity and pride and in the development of a uniquely Australian style of heraldry. I feel that Mr Porter might have limited his view of heraldry to the granting of personal arms as opposed to the development of national symbols - and especially the incorporation of indigenous imagery - and the evolution of a central, accessible register of all existing national, military, academic, ecclesiastical, corporate and individual arms, badges and flags within Australia. The development of a small heraldic authority operating through the Office of the Governor General would be able to undertake this function and would - through the use of moderate, affordable, registration costs be self-funding. As in Canada, it could commission capable artists and thus ensure a high level of artistic merit. An Australian authority could establish a uniquely Australian practice - Canada did so, and has evolved its own approach, freed from the ancient and arcane practices and vocabulary of the College of Arms. Canada has stressed the role of the Crown in granting of arms, giving emphasis to such a grant being an honour bestowed by the Crown. In Australia consideration could be given to restricting personal arms to those who could demonstrate service to the State, thus overcoming a popular misconception that heraldry is the province of the rich and of stuffy conservatives and demonstrating that it is in fact a dynamic, contemporary phenomenon.

The establishment of such an Authority would only require a request to the Queen for letters patent - the Canadian text was simply: *to authorize and empower Our Governor General of Canada to exercise or provide for the exercise of all power and authorities lawfully belonging to Us as Queen of Canada in respect of the granting of armorial bearings in Canada*".

Certainly, it does seem both anachronistic and out of step with Australia's maturity as a nation to leave heraldic matters in the hands of a College in London, established by charter of Richard III and entirely self-regulating. Notably, within the United Kingdom the College only has jurisdiction of England and Wales - in Scotland

heraldry is regulated by the Court of the Lord Lyon which – despite its ancient name – is a statutory authority and the Lord Lyon is a government appointment and the incumbent is a judicial officer. The staff of the Court is comprised of public servants. Several other Commonwealth Nations, in addition to Canada have sought patriation of the Heraldic Prerogative – South Africa, Zimbabwe, Antigua, Kenya and Barbados, Zambia - and New Zealand has its own “Herald Extraordinary” who is affiliated to the College of Arms but lives and works in New Zealand.

There would be no need for undue haste in developing an Australian authority. Canada’s letters patent were granted in 1988, three years elapsed before the authority was formally established and it took a further ten years for the authority to become fully functional. The initial step of seeking the appropriate Letters Patent would be more symbolic than anything else, and would serve to further reinforce connections between the Crown and the Nation.

I would urge you to give this serious consideration. Although I am not a serious student of heraldry I would be happy to attempt to answer any queries you might have.

Yours sincerely

s 22



*Attachment: Pamphlets regarding the Canadian Heraldic Authority*

---

## THE CANADIAN HERALDIC AUTHORITY



In 1988, heraldry was patriated to Canada through the establishment of the Canadian Heraldic Authority with the governor general of Canada as its head. Heraldry is the most colourful and versatile part of the national honours system serving very diverse groups of recipients across the country.

For centuries, coats of arms, flags and badges have been created to identify governments, institutions of all kinds and individuals, signaling their importance to the country and celebrating the various contributions to the betterment of the community.

Any Canadian government or agency, institutions of all kinds, as well as individual Canadians may request that a heraldic emblem be created and granted to them officially. Application can be made by writing to the Chief Herald of Canada at the Chancellery of Honours.



1-800-O-Canada  
[www.gg.ca](http://www.gg.ca)

OSGG 2007

# TELL *your* story

Coats of arms and other heraldic emblems are a powerful and everlasting expression of your life, transmissible to your descendants. They are also created for institutions for identification and promotion purposes.

As part of the Office of the Secretary to the Governor General, the Canadian Heraldic Authority is responsible for creating official coats of arms, flags and badges.

LET US CREATE YOUR  
UNIQUE HERALDIC EMBLEM

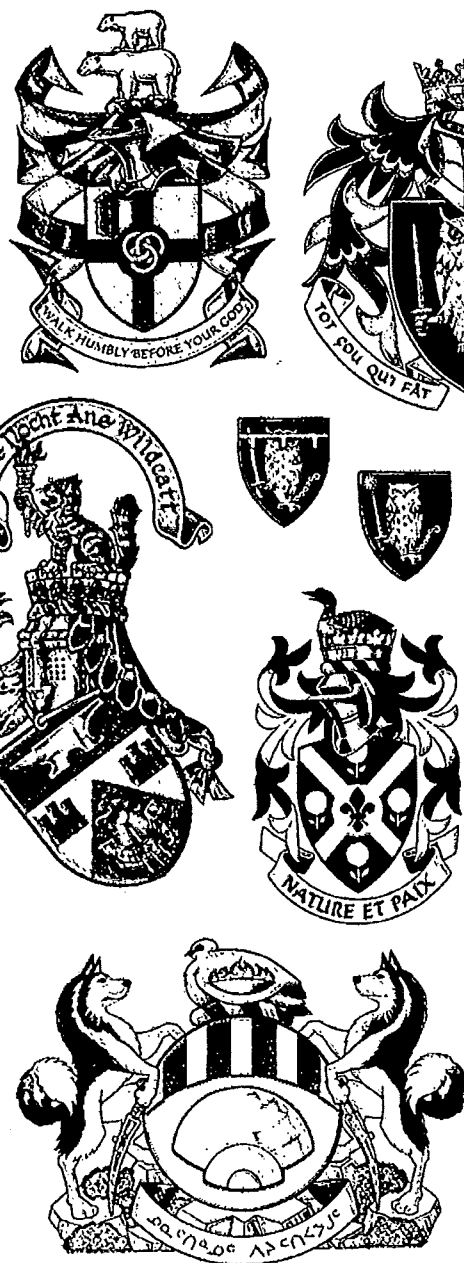
1-800-465-6980 [WWW.CGCA.HERALDRY](http://WWW.CGCA.HERALDRY)



The Office  
of the Secretary  
to the Governor General



The Canadian  
Heraldic Authority  
Since 1988



Cette affiche est aussi disponible en français

© Her Majesty The Queen In Right of Canada represented by the Canadian Heraldic Authority (2014)

Note the use of both traditional heraldry and the example of indigenous heraldry,  
bottom right