



# Scout Association Act 1924

No. 31, 1924

## Compilation No. 8

<b>Compilation date:</b>	21 October 2016
<b>Includes amendments up to:</b>	Act No. 61, 2016
<b>Registered:</b>	28 October 2016

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### **This compilation**

This is a compilation of the *Scout Association Act 1924* that shows the text of the law as amended and in force on 21 October 2016 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### **Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

### **Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### **Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

### **Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

### **Self-repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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# **An Act to afford Protection to the Scout Association**

## **Preamble**

WHEREAS the Scout Association (in this Act referred to as the *Association*) was duly incorporated under the name of the Boy Scouts Association in the United Kingdom of Great Britain and Ireland by Royal Charter granted on 4 January 1912:

AND WHEREAS the Association has the power under the said Charter to form Local Branches and Committees in all parts of His Majesty's Dominions, and to apply for and exercise any powers obtained under any Supplementary Charter or Act of Parliament, Imperial or Colonial, and whether Federal or Provincial which may be deemed expedient for any of the purposes of the Association:

AND WHEREAS for providing and maintaining an efficient organization for promoting the objects of the Association, various Local Branches, including the Scout Association of Australia which was duly incorporated under the name of the Australian Boy Scouts Association by Royal Charter granted on 23 August 1967, have been formed under the power aforesaid in Australia:

AND WHEREAS it is expedient to protect the Association and the Local Branches thereof in the Commonwealth:

BE it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:

## **1 Short title**

This Act may be cited as the *Scout Association Act 1924*.

## **1A Application of the *Criminal Code***

Chapter 2 of the *Criminal Code* applies to all offences created by this Act.

## Section 2

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Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

### **2 Unauthorised use of name**

Any person who without authority used the name the “Scout Association” or the name of any Local Branch of the Association or any name implying that any other Society or body is the Association or a Branch of the Association commits an offence.

Penalty: 1 penalty unit.

### **3 Registration of uniforms**

The Association or any Branch of the Association formed within the Commonwealth may, with the approval of the Minister, apply to the Registrar of Designs for the registration under the *Designs Act 2003* of any uniform, emblem, badge, decoration, descriptive or designating mark or title used either before or after the commencement of this Act by the Association or any Branch of the Association for carrying out the purposes of the Association:

Provided that this section shall not authorise the use or registration of any uniform, emblem, badge, decoration, descriptive or designating mark or title which is similar to, or a colourable imitation of, any uniform, emblem, badge, decoration, descriptive or designating mark or title used by the Department of Defence.

### **4 Unauthorised user of uniform**

Any person who, except with the authority of the Association or the Local Branch for the area in which the use takes place (proof whereof shall lie upon him or her), makes use of any uniform, emblem, badge, decoration, descriptive or designating mark or title of the Association or a Local Branch registered in pursuance of the last preceding section in such manner as to suggest that the user is authorised by the Association or such Local Branch or is connected with the operations thereof, commits an offence.

Penalty: 1 penalty unit.

Note: The defendant bears a legal burden in relation to the matter in this section, see section 13.4 of the *Criminal Code*.

**5 No prosecution without consent of Minister**

No prosecution shall be instituted under this Act except with the consent of the Minister.

**6 Act not to apply to Lifesaving Scouts of Salvation Army**

Nothing in this Act shall be deemed to apply to the Lifesaving Scouts of the Salvation Army as at present constituted.

## Endnotes

Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can



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Endnote 1—About the endnotes

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be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnote 3—Legislation history

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Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Boy Scouts' Association Act 1924	31, 1924	26 Sept 1924	26 Sept 1924	
Statute Law Revision (Decimal Currency) Act 1966	93, 1966	29 Oct 1966	First Sch: 1 Dec 1966 (s 2(1))	—
Administrative Changes (Consequential Provisions) Act 1976	91, 1976	20 Sept 1976	s 4: 20 Sept 1976 (s 2(1)) Sch: 22 Dec 1975 (s 2(7))	s 4
Statute Law (Miscellaneous Provisions) Act (No. 1) 1984	72, 1984	25 June 1984	s 5(1) and Sch: 23 July 1984 (s 2(1))	s 5(1)
Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Act 2001	140, 2001	1 Oct 2001	s 4 and Sch 1 (items 145, 146): 2 Oct 2001 (s 2)	s 4
Designs (Consequential Amendments) Act 2003	148, 2003	17 Dec 2003	Sch 2 (item 16A): 17 June 2004 (s 2(1) item 2)	—
Statute Law Revision Act 2008	73, 2008	3 July 2008	Sch 4 (item 465): 4 July 2008 (s 2(1) item 64)	—
Statute Law Revision Act (No. 1) 2016	4, 2016	11 Feb 2016	Sch 4 (item 414): 10 Mar 2016 (s 2(1) item 6)	—
Statute Update Act 2016	61, 2016	23 Sept 2016	Sch 1 (item 436): 21 Oct 2016 (s 2(1) item 1)	—

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## Endnotes

### Endnote 4—Amendment history

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### Endnote 4—Amendment history

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<b>Provision affected</b>	<b>How affected</b>
Title .....	am No 72, 1984
Preamble .....	am No 72, 1984
s 1 .....	rs No 72, 1984
s 1A .....	ad No 140, 2001
s 2 .....	am No 93, 1966; No 72, 1984; No 4, 2016; No 61, 2016
s 3 .....	am No 91, 1976; No 148, 2003
s 4 .....	am No 93, 1966; No 140, 2001; No 73, 2008; No 4, 2016; No 61, 2016
s 5 .....	am No 91, 1976

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