



Scout Association Act 1924

Act No. 31 of 1924 as amended

This compilation was prepared on 17 June 2004
taking into account amendments up to Act No. 148 of 2003

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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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 [*see* Note 1]

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.

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 shall be guilty of an offence.

Penalty: Ten dollars

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), 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, shall be guilty of an offence.

Penalty: Ten dollars

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.

Table of Acts**Notes to the *Scout Association Act 1924*****Note 1**

The *Scout Association Act 1924* as shown in this compilation comprises Act No. 31, 1924 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 1 October 2001 is not included in this compilation. For subsequent information *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Boy Scouts' Association Act 1924</i>	31, 1924	26 Sept 1924	26 Sept 1924	
<i>Statute Law Revision (Decimal Currency) Act 1966</i>	93, 1966	29 Oct 1966	1 Dec 1966	—
<i>Administrative Changes (Consequential Provisions) Act 1976</i>	91, 1976	20 Sept 1976	20 Sept 1976 (a)	S. 4
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1984</i>	72, 1984	25 June 1984	Schedule: 23 July 1984 (b)	S. 5(1)
<i>Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Act 2001</i>	140, 2001	1 Oct 2001	2 Oct 2001	S. 4 [see Table A]
<i>Designs (Consequential Amendments) Act 2003</i>	148, 2003	17 Dec 2003	Schedules 1 and 2: (c) Remainder: Royal Assent	—

Act Notes

- (a) By virtue of subsection 2(7) of the *Administrative Changes (Consequential Provisions) Act 1976* the amendments made by that Act to the *Scout Association Act 1924* are deemed to have come into operation of 22 December 1975.
- (b) The *Scout Association Act 1924* was amended by the Schedule only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1984*, subsection 2(1) of which provides as follows:
 - (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
- (c) Subsection 2(1) (item 2) of the *Designs (Consequential Amendments) Act 2003* provides as follows:
 - (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
2. Schedules 1 and 2	Immediately after the commencement of section 4 of the <i>Designs Act 2003</i> .	17 June 2004

Table of Amendments

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ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
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
S. 3	am. No. 91, 1976; No. 148, 2003
S. 4	am. No. 93, 1966
Note to s. 4	ad. No. 140, 2001
S. 5	am. No. 91, 1976

Table A

Table A

Application, saving or transitional provisions

Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Act 2001 (No. 140, 2001)

4 Application of amendments

- (1) Each amendment made by this Act applies to acts and omissions that take place after the amendment commences.
- (2) For the purposes of this section, if an act or omission is alleged to have taken place between 2 dates, one before and one on or after the day on which a particular amendment commences, the act or omission is alleged to have taken place before the amendment commences.