

ANGLICAN CHURCH OF AUSTRALIA.

No. 121 of 1976.

AN ACT to change to “Anglican Church of Australia” the name of the Church of England in Australia.

[Assented to 1st December, 1976.]

BE it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Anglican Church of Australia Act, 1976*. Short title.

2. (1) This section and section 1 of this Act shall come into operation on the date on which this Act receives the Royal Assent. Commencement and interpretation.

(2) Except as provided in subsection (1), this Act shall come into operation on such day as is, on the recommendation of the Primate of the Church of England in Australia, fixed by proclamation.

(3) In this Act—

“appointed day” means the day fixed by proclamation under subsection (2);

“law of the State” means—

(a) an Act including the title and citation thereof;

(b) regulations, rules, or by-laws having effect by virtue of an Act;

and

(c) an instrument having effect by virtue of an Act or of any regulations, rules, or by-laws referred to in paragraph (b) of this interpretation; and

“subsection” means a subsection of the section wherein the term is used.

Change of
name.

3. The name of the Church of England in Australia referred to in the Church of England in Australia Constitution Act, 1960, is hereby changed to “Anglican Church of Australia”.

Construction
of laws of
the State,
laws of the
Church, and
instruments.

4. On and from the appointed day a reference, however expressed, to the Church of England or to the Church of England in Australia in—

(a) any law of the State in force immediately before the appointed day;

(b) Church Canons of the General Synod of the Church of England in Australia so in force;

(c) Church Ordinances, Acts, or Statutes of a Provincial or Diocesan Synod of that Church so in force;

- (d) Church Rules and Regulations made by the authority of those Canons, Ordinances, Acts, or Statutes and so in force; and
- (e) grants, deeds, wills and other instruments having effect on or after that day,

shall be construed as a reference to the Anglican Church of Australia.

5. (1) This Act does not prejudice or affect the continuity of any corporation or any property, rights, authorities, duties, functions or obligations of any corporation. Savings.

(2) Any legal proceedings that immediately before the appointed day had been, or could have been, commenced or continued by or against any corporation of which the name is changed by this Act may be commenced or continued by or against the corporation under the new name of the corporation.

6. (1) After the expiration of six months after the appointed day, a person shall not, for the purposes of, or in connection with, any business, trade or profession use or cause or permit to be used— Offence.

- (a) the name “Church of England”, “Church of England in Australia” or “Anglican Church of Australia”; or
- (b) the description “Anglican”,

whether that name or description is used with other words or not, unless he has been authorized so to do by or pursuant to a Canon of the General Synod of the Church of England in Australia or the General Synod of the Anglican Church of Australia.

Penalty: \$100.

(2) Subsection (1) does not operate to deprive the Anglican Church of Australia wholly or partly of any right or remedy that it would have had if that subsection had not been enacted.

Construction
of refer-
ences in
laws of the
State to be
direct
amendment
thereof.

7. Where a reference, however expressed, in a law of the State to the Church of England or to the Church of England in Australia is by force of this Act construed as a reference to the Anglican Church of Australia, that construction shall, unless the context otherwise requires, be and be deemed to be for all purposes a direct amendment to that law of the State.
