

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

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Act No. 21, 1976.

An Act to change to "Anglican Church of Australia" the name of the Church of England in Australia. [Assented to, 1st April, 1976.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Anglican Church of Australia Act, 1976".

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2. (1) This section and section 1 shall commence on the date of assent to this Act. **Commencement.**

(2) Except as provided in subsection (1), this Act shall commence on such day as may, on the recommendation of the Primate of the Church of England in Australia, be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. (1) The name of the Church of England in Australia referred to in the Church of England in Australia Constitution Act, 1961, is hereby changed to "Anglican Church of Australia". **Change of name.**

(2) The name of the corporation constituted by section 7 of the Church of England in Australia Constitution Act, 1961, is hereby changed to "Anglican Church of Australia Trust Corporation".

4. On and from the day appointed and notified under section 2 (2), a reference to the Church of England or to the Church of England in Australia in— **Construction of Acts and instruments.**

- (a) the Acts specified in Schedule 1 and any other Acts in force immediately before that day;
- (b) instruments made under Acts and so in force;
- (c) Church Canons of the General Synod of the Church of England in Australia so in force;
- (d) Church Ordinances and Church Acts of a Provincial or Diocesan Synod of that Church so in force;
- (e) Church Rules and Regulations made by the authority of those Canons, Ordinances and Acts and so in force;

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(f) 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.

**Savings.**

**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.

(2) Any legal proceedings that immediately before the day appointed and notified under section 2 (2) had been, or could have been, commenced or continued by or against the corporation of which the name is changed by section 3 (2), or a corporation of which the name is changed by this Act or under section 10 (2) (a) of the Church of England (Bodies Corporate) Act, 1938, may be commenced or continued by or against the corporation under the new name of the corporation.

**Offence.**

**6.** (1) After the expiration of six months after the day appointed and notified under section 2 (2), 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—

(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 authorised 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.

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(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.

7. An Act specified in Column 1 of Schedule 2 is amended in the manner specified opposite that Act in Column 2 of that Schedule. **Amendment of certain Acts.**

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SCHEDULE 1.

Sec. 4.

Church of England Constitutions Act Amendment Act of 1902.

Church of England Clergy Provident Fund (Sydney) Act, 1908.

Church of England Trust Property Act, 1917.

Church of England Trust Property (Amendment) Act (No. 2), 1923.

Church of England (Bodies Corporate) Act, 1938.

Church of England Clergy Provident Fund (Sydney) Amendment Act, 1941.

Church of England Trust Property (Amendment) Act, 1950.

Church of England Clergy Provident Fund (Sydney) Amendment Act, 1955.

Church of England Constitution Act, 1961.

Church of England Constitutions (Amendment) Act, 1976.

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SCHEDULE

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## Sec. 7.

## SCHEDULE 2.

Column 1.	Column 2.
Church of England Constitutions Act Amendment Act of 1902.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Church of Australia Constitutions Act, 1902”.
Church of England Clergy Provident Fund (Sydney) Act, 1908.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Clergy Provident Fund (Sydney) Act, 1908”.
Church of England Trust Property Act, 1917.	Section 1— Omit “Church of England”, insert instead “Anglican Church of Australia”.
Church of England Trust Property (Amendment) Act (No. 2), 1923.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Church of Australia Trust Property (Amendment) Act (No. 2), 1923”.
Church of England (Bodies Corporate) Act, 1938.	Section 1 (1)— Omit the subsection, insert instead:— (1) This Act may be cited as the “Anglican Church of Australia (Bodies Corporate) Act, 1938”.
Church of England Clergy Provident Fund (Sydney) Amendment Act, 1941.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Clergy Provident Fund (Sydney) Amendment Act, 1941”.
Church of England Trust Property (Amendment) Act, 1950.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Church of Australia Trust Property (Amendment) Act, 1950”.
Church of England Clergy Provident Fund (Sydney) Amendment Act, 1955.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Clergy Provident Fund (Sydney) Amendment Act, 1955”.
Church of England Constitution Act, 1961.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Church of Australia Constitution Act, 1961”.
Church of England Constitutions (Amendment) Act, 1976.	Section 1— Omit the section, insert instead:— 1. This Act may be cited as the “Anglican Church of Australia Constitutions (Amendment) Act, 1976”.