

(Hon. Mr Seath)

**SCOUT ASSOCIATION OF NEW ZEALAND
AMENDMENT**

[PRIVATE]

ANALYSIS

Title	4. Proof of vesting of assets
Preamble	5. Restriction on use of names
1. Short Title	6. Restriction on use of uniforms or badges of Corporation
2. Altering the Title of the principal Act	7. Repeal
3. Change of name	8. Private Act

A BILL INTITULED

An Act to change the name of the Boy Scouts Association of New Zealand, and to amend the Boy Scouts Association of New Zealand Act 1956

- 5 WHEREAS the Boy Scouts Association of New Zealand (hereinafter referred to as "the Corporation") is incorporated under the Boy Scouts Association of New Zealand Act 1956: And whereas the Corporation desires to change its name to the Scout Association of New Zealand: And whereas it is
10 desirable to facilitate dealings with the assets of the said Corporation under its new name: And whereas it is desirable to restrict the use of the names by which the Corporation is or has been known and the use of the uniform and badges of the Corporation:
- 15 BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

No. 123—1

Price 5c

1. Short Title—This Act may be cited as the Scout Association of New Zealand Amendment Act 1967, and shall be read together with and deemed part of the Act heretofore cited as the Boy Scouts Association of New Zealand Act 1956 (hereinafter referred to as the principal Act). 5

2. Altering the Title of the principal Act—(1) The principal Act may hereafter be cited as the Scout Association of New Zealand Act 1956.

(2) Every reference to the Short Title of the principal Act in any enactment, rule, contract, agreement, deed, instrument, or other document whatsoever is hereby consequentially amended by omitting the words “Boy Scouts” and substituting the word “Scout”. 10

3. Change of name—(1) The body corporate incorporated under the principal Act under the name of “The Boy Scouts Association of New Zealand” shall hereafter be called “The Scout Association of New Zealand”. 15

(2) The change of name of the Corporation shall not affect any powers, rights, interests, securities, investments, or obligations of the Corporation, or render defective any legal proceedings by or against the Corporation; and all real and personal property of every description which immediately before the passing of this Act is held by the Corporation under its former name may, by force of this Act, be dealt with or disposed of by the Corporation under its new name, subject to all liabilities, charges, obligations, and trusts affecting the same. 20 25

4. Proof of vesting of assets—The presentation to any Registrar of Deeds or District Land Registrar or any other person of any instrument executed or purporting to be executed under the seal of the Corporation in its new name attested by two members of the Executive Committee of the Corporation and the Secretary or Treasurer of the Corporation and relating to any estate or interest in any land held by the Corporation under its former name immediately before the passing of this Act shall, notwithstanding that the said Corporation has not been registered as proprietor of that estate or interest under its new name, be accepted by all persons concerned as conclusive proof that that estate or interest is vested in the said Corporation. 30 35 40

5 **5. Restriction on use of names—**(1) Except with the consent of the Governor-General in Council and subject to the provisions of this section, no association of persons, whether incorporated or not, shall exercise the functions for which it is formed under the name “Scout Association” or under a name that contains those words or the words “Scout” or “Boy Scout”.

10 (2) Where any enactment provides for the registration of any association of persons, the registering authority may refuse registration if in the opinion of that authority the use of the name by which the association desires to be registered is prohibited by subsection (1) of this section.

15 (3) Every incorporated association that does any act in contravention of any of the provisions of this section commits an offence and is liable to a fine not exceeding one hundred dollars and, if the offence is a continuing one, to a further fine not exceeding ten dollars for every day on which the offence has continued.

20 (4) Where any unincorporated association of persons does any act in contravention of this section, every member of the association shall be deemed to have committed an offence and shall be liable to a fine not exceeding twenty dollars and, if the offence is a continuing one, to a further fine not exceeding four dollars for every day on which the offence has
25 continued.

(5) Nothing in this section shall apply to the Corporation or to any association of persons that is a member of or is affiliated to the Corporation or to any branch of such an association.

30 (6) Nothing in this section shall apply to the use by any association registered, before the passing of this Act, under any enactment of any name that was in use in New Zealand by that association on the passing of this Act.

6. Restriction on use of uniforms or badges of Corporation—

35 (1) The Governor-General may from time to time by notice in the *Gazette* define the uniform of the officers and members of the Corporation and the badges that may be worn by such officers and members.

40 (2) It shall not be lawful for any person who is not an officer or member of the Corporation to wear any uniform or badge defined as provided by this section, or any colourable imitations of such uniform or badge, or to pretend in any manner to be entitled to wear such uniform or badge.

4 *Scout Association of New Zealand Amendment*

(3) Every person who acts in contravention of this section commits an offence and shall be liable on summary conviction to a fine not exceeding forty dollars.

7. Repeal—Section 5 of the Military Decorations and Distinctive Badges Act 1918 is hereby repealed. 5

8. Private Act—This Act is hereby declared to be a private Act.