



Protection of Word 'Anzac' Regulations

Statutory Rules 1921 No. 2 as amended

made under the

War Precautions Act Repeal Act 1920

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taking into account amendments up to SR 1989 No. 419

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1 Citation [see Note 1]

These Regulations may be cited as the Protection of Word ‘Anzac’ Regulations.

1A Interpretation

In these Regulations, unless the contrary intention appears:

Entertainment includes any exhibition, performance, lecture, amusement, game, sport or social gathering held or conducted for the purpose of raising money.

2 Prohibition of use in trade etc of word ‘Anzac’

- (1) No person shall, without the authority of the Minister, proof whereof shall lie upon the person accused, assume or use the word ‘Anzac’ or any word resembling the word ‘Anzac’ in connexion with any trade, business, calling or profession or in connexion with any entertainment or any lottery or art union or as the name or part of the name of any private residence, boat, vehicle or charitable or other institution, or any building in connexion therewith.
- (1A) Subregulation (1) does not apply to the assumption or use of the words ‘Anzac Day’ in connection with an entertainment held on 25 April in any year or on consecutive days that include that day where those words are not used to describe or designate single events within an entertainment consisting of 2 or more events.
- (2) Without limiting the meaning of subregulation (1) a word shall be deemed to be assumed or used by a person in connexion with any trade, business, calling or profession if:
 - (a) it is applied (whether as a trade mark or otherwise) to any goods manufactured, produced, sold or offered for sale by that person; or
 - (b) it is used as the name or part of the name of any firm or company registered in Australia.

- (3) The Registrar of Trade Marks shall:
 - (a) refuse to register as a trade mark any word the assumption or use of which in connexion with any trade, business, calling or profession is prohibited under subregulation (1) of this regulation; and
 - (b) unless otherwise directed by the Minister, cancel any existing registration of any such word as a trade mark, and refuse to take any step or further step in connexion with any application for the use of any such word as a trade mark.
- (4) The Registrar of Designs shall:
 - (a) refuse to register as a design any word or mark the assumption or use of which in connexion with any trade, business, calling or profession is prohibited under subregulation (1) of this regulation; and
 - (b) unless otherwise directed by the Minister cancel any existing registration of any such word or mark as a design, and refuse to take any step or further step in connexion with any application for the use of any such word or mark as a design.
- (5) The Registrar-General or other proper officer of a State charged with the registration of firms and companies may:
 - (a) permit any firm or company which has been registered under a State Act, and in the name of which there is included any word the use of which in connexion with any trade, business, calling or profession is prohibited under subregulation (1) of this regulation, to amend the name of the firm or company by the omission of that word, and, if the firm or company so desires, the substitution of any other word or words; or
 - (b) cancel the registration of any firm or company which refuses or fails to apply within a reasonable period for the amendment of its name.

3 Prohibition of word 'Anzac' as name of street, road or park

- (1) A person shall not, without the approval of the Minister, use, in naming a street, road or park, the word 'Anzac' or any word

resembling the word 'Anzac' as the name or part of the name of the street, road or park.

- (2) The last preceding subregulation does not apply to or in relation to:
- (a) the naming of a street, road or park in which, or in the immediate vicinity of which, there is situated a public memorial relating to the war which commenced on the fourth day of August, 1914, or the war which commenced on the third day of September, 1939; or
 - (b) the naming or re-naming of a street, road or park the name of which at the commencement of this regulation contained the word 'Anzac' or any word resembling the word 'Anzac'.

Table of Statutory Rules

Notes to the Protection of Word 'Anzac' Regulations

Note 1

The Protection of Word 'Anzac' Regulations (in force under the *War Precautions Act Repeal Act 1920*) as shown in this compilation comprise Statutory Rules 1921 No. 2 amended as indicated in the Tables below.

Table of Statutory Rules

| Year and number | Date of notification in <i>Gazette</i> | Date of commencement | Application, saving or transitional provisions |
|------------------------|-----------------------------------------------|-----------------------------|-------------------------------------------------------|
| 1921 No. 2 | 6 Jan 1921 | 6 Jan 1921 | |
| 1921 No. 216 | 17 Nov 1921 | 17 Nov 1921 | — |
| 1959 No. 29 | 7 May 1959 | 7 May 1959 | — |
| 1962 No. 79 | 13 Sept 1962 | 13 Sept 1962 | — |
| 1978 No. 27 | 28 Feb 1978 | 28 Feb 1978 | — |
| 1979 No. 141 | 26 July 1979 | 26 July 1979 | — |
| 1989 No. 419 | 8 Jan 1990 | 8 Jan 1990 | — |

Table of Amendments**Table of Amendments**

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

| Provision affected | How affected |
|---------------------------|---------------------------------------------------------------------------|
| R. 1A | ad. 1921 No. 216 |
| R. 2..... | am. 1921 No. 216; 1962 No. 79; 1978 No. 27; 1979 No. 141; 1989 No. 419 |
| R. 3..... | ad. 1959 No. 29 am. 1978 No. 27; 1989 No. 419 |

