



Australian Capital Territory

Australian-American Educational Foundation Act 1966

A1966-16

Republication No 4

Effective: 12 April 2007 – 29 February 2012

Republication date: 12 April 2007

Last amendment made by A2007-3

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Australian-American Educational Foundation Act 1966* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 12 April 2007. It also includes any amendment, repeal or expiry affecting the republished law to 12 April 2007.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Australian-American Educational Foundation Act 1966

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R4
12/04/07

Australian-American Educational Foundation Act 1966
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Australian Capital Territory

Australian-American Educational Foundation Act 1966

An Act relating to the Australian-American Educational Foundation

1 Name of Act

This Act is the *Australian-American Educational Foundation Act 1966*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

5 Incorporation of foundation

- (1) For the purpose of facilitating the operations of the foundation under the agreement, the foundation is by this Act established as a body corporate with perpetual succession under the name of ‘Australian-American Educational Foundation’.
- (2) The foundation—
 - (a) shall have a common seal; and
 - (b) is capable of acquiring (whether as grantee or transferee), holding and disposing of or otherwise dealing with real and personal property; and
 - (c) may enter into contracts; and
 - (d) may sue and be sued, whether the cause of action arose before or arises after the commencement of this Act.

- (3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the foundation attached to a document and shall presume that it was duly attached.

6 Power to dispose of land in name of former foundation

The power to dispose of real and personal property given on the foundation under section 5 is taken to include a power to dispose of land registered under the *Land Titles Act 1925* in the name of the former foundation as if the foundation were the registered proprietor of the land.

7 Service of documents

A notice, process or other document may, for any law of the ACT, be served on or given to the foundation—

- (a) by leaving it at the office of the foundation at Canberra with some person apparently in the service of the foundation; or
- (b) by sending it by registered post to the foundation at that office.

Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- document
- land.

agreement means the agreement dated 28 August 1964, made between the Government of the Commonwealth of Australia and the Government of the United States of America for the financing of certain educational and cultural exchange programs.

former foundation means the Foundation referred to in the *United States Educational Foundation in Australia Ordinance 1950*.

foundation means the Australian-American Educational Foundation established under the agreement.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This Act was originally a Commonwealth ordinance—the *Australian-American Education Foundation Ordinance 1966* No 16 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

Legislation before becoming Territory enactment

Australian-American Educational Foundation Act 1966 No 16

notified 20 October 1966
commenced 20 October 1966

as amended by

Ordinances Revision (Administrative Arrangements) Ordinance 1977 No 18

notified 21 June 1977
commenced 21 June 1977

Legislation after becoming Territory enactment

Land Titles (Consequential Amendments) Act 1995 No 54 sch pt 1

notified 20 December 1995 (Gaz 1995 No S313)
commenced 20 June 1996 (s 2)

Legislation (Consequential Amendments) Act 2001 No 44 pt 29

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 29 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.9

notified LR 22 March 2007

s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))
sch 3 pt 3.9 commenced 12 April 2007 (s 2 (1))

4 Amendment history

Dictionary

s 2 om 2001 No 44 amdt 1.315
ins A2007-3 amdt 3.40

Notes

s 3 om 1977 No 18
ins A2007-3 amdt 3.40

Definitions for Act

s 4 om A2007-3 amdt 3.40
def **the agreement** om A2007-3 amdt 3.40
def **the former foundation** om A2007-3 amdt 3.40
def **the foundation** om A2007-3 amdt 3.40

Power to dispose of land in name of former foundation

s 6 am 1995 No 54 sch pt 1; A2007-3 amdt 3.41

Dictionary

dict ins A2007-3 amdt 3.42
def **agreement** ins A2007-3 amdt 3.42
def **former foundation** ins A2007-3 amdt 3.42
def **foundation** ins A2007-3 amdt 3.42

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Ord 1977 No 18	31 May 1991
2	A1995-54	30 November 1996
3	A2001-44	18 July 2002

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