

# COMMUNIST PARTY DISSOLUTION.

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## No. 16 of 1950.

An Act to provide for the Dissolution of the Australian Communist Party and of other Communist Organizations, to disqualify Communists from holding certain Offices, and for purposes connected therewith.

[Assented to 20th October, 1950.]

**W**HEREAS the Constitution empowers the Parliament to make Preamble. laws for the peace, order and good government of the Commonwealth with respect to the naval and military defence of the Commonwealth and of the several States :

**AND WHEREAS** under the Constitution the executive power of the Commonwealth is vested in the King and is exercisable by the Governor-General as the King's representative, and extends to the execution and maintenance of the Constitution and of the laws of the Commonwealth :

**AND WHEREAS** the Constitution also empowers the Parliament to make laws for the peace, order and good government of the Commonwealth with respect to matters incidental to the execution of any power vested by the Constitution in the Parliament of the Commonwealth or in the Government of the Commonwealth :

**AND WHEREAS** the Australian Communist Party, in accordance with the basic theory of communism, as expounded by Marx and Lenin, engages in activities or operations designed to assist or accelerate the coming of a revolutionary situation, in which the Australian Communist Party, acting as a revolutionary minority, would be able to seize power and establish a dictatorship of the proletariat :

**AND WHEREAS** the Australian Communist Party also engages in activities or operations designed to bring about the overthrow or dislocation of the established system of government of Australia and the attainment of economic, industrial or political ends by force, violence, intimidation or fraudulent practices :

AND WHEREAS the Australian Communist Party is an integral part of the world communist revolutionary movement, which, in the King's dominions and elsewhere, engages in espionage and sabotage and in activities or operations of a treasonable or subversive nature and also engages in activities or operations similar to those, or having an object similar to the object of those, referred to in the last two preceding paragraphs of this preamble :

AND WHEREAS certain industries are vital to the security and defence of Australia (including the coal-mining industry, the iron and steel industry, the engineering industry, the building industry, the transport industry and the power industry) :

AND WHEREAS activities or operations of, or encouraged by, the Australian Communist Party, and activities or operations of, or encouraged by, members or officers of that party and other persons who are communists, are designed to cause, by means of strikes or stoppages of work, and have, by those means, caused, dislocation, disruption or retardation of production or work in those vital industries :

AND WHEREAS it is necessary, for the security and defence of Australia and for the execution and maintenance of the Constitution and of the laws of the Commonwealth, that the Australian Communist Party, and bodies of persons affiliated with that party, should be dissolved and their property forfeited to the Commonwealth, and that members and officers of that party or of any of those bodies and other persons who are communists should be disqualified from employment by the Commonwealth and from holding office in an industrial organization a substantial number of whose members are engaged in a vital industry :

BE it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- Short title.**        1. This Act may be cited as the *Communist Party Dissolution Act 1950*.
- Commencement.**    2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Definitions.**        3.—(1.) In this Act, unless the contrary intention appears—  
                           “ authority of the Commonwealth ” includes a body established by or under a law of the Commonwealth ;  
                           “ authorized person ” means a person declared by the Attorney-General to be an authorized person for the purposes of this Act ;

- “ branch ”, in relation to an industrial organization or an unlawful association, includes a section of the organization or association and a local, regional or subsidiary body forming part of the organization or association ;
- “ communist ” means a person who supports or advocates the objectives, policies, teachings, principles or practices of communism, as expounded by Marx and Lenin ;
- “ industrial organization ” means an organization of employers or employees associated for the purpose of protecting and furthering their interests in relation to terms and conditions of employment or for purposes including that purpose ;
- “ office ”, in relation to an industrial organization or branch of an industrial organization, means—
- (a) the office of a member of the committee of management or other governing body of the industrial organization or branch ;
  - (b) the office of an executive officer of the industrial organization or branch ;
  - (c) the office of a person holding, whether as trustee or otherwise, property of the industrial organization or branch, or property in which the industrial organization or branch has a beneficial interest ;  
or
  - (d) every office within the industrial organization or branch for the filling of which an election is conducted or an appointment is made within the industrial organization or branch ;
- “ officer ”, in relation to an unlawful association, means—
- (a) a member of the committee of management or other governing body of the unlawful association or of a branch of the unlawful association ; or
  - (b) a person working for the unlawful association or for a branch of the unlawful association ;
- “ property ” includes money, goods, things in action, land and every description of property, whether real or personal ;
- “ the appropriate court ” means—
- (a) in relation to an application by a body of persons—the High Court, the Supreme Court of the State or Territory (being a Territory forming part of the Commonwealth) in which the principal office of the body is situated or the Supreme Court of a State or Territory (being a Territory forming part of the Commonwealth) in which a majority of members of the body are resident ; and
  - (b) in relation to an application by a person—the High Court or the Supreme Court of the State or Territory (being a Territory forming part of the Commonwealth) in which that person resides ;

“the Australian Communist Party” means the organization having that name on the specified date, notwithstanding any change in the name or membership of that organization after that date;

“the specified date” means the tenth day of May, One thousand nine hundred and forty-eight, being the last day of the National Congress of the Australian Communist Party by which the constitution of the Australian Communist Party was adopted;

“unlawful association” means the Australian Communist Party or a body of persons declared to be an unlawful association under this Act.

(2.) For the purposes of this Act, the property of an unlawful association includes all property of a branch of that association and all property held by a person for or on behalf of, or in trust for, that association or a branch of that association.

(3.) For the purposes of this Act, an application to a court which is discontinued or withdrawn shall be deemed to be dismissed.

Dissolution of  
Australian  
Communist  
Party.

4.—(1.) The Australian Communist Party is declared to be an unlawful association and is, by force of this Act, dissolved.

(2.) The Governor-General shall, by instrument published in the *Gazette*, appoint a receiver of the property of the Australian Communist Party.

(3.) Upon the day upon which that instrument is so published, the property of the Australian Communist Party shall, by force of this Act, vest in the receiver named in the instrument.

(4.) Where any land to which this section applies is subject to the provisions of any law providing for the registration of title to land, the vesting of the legal estate in that land in the receiver shall be subject to compliance with the provisions of that law.

Affiliated  
organisations  
may be  
declared  
unlawful.

5.—(1.) This section applies to any body of persons, corporate or unincorporate, not being an industrial organization registered under the law of the Commonwealth or a State—

(a) which is, or purports to be, or, at any time after the specified date and before the date of commencement of this Act was, or purported to be, affiliated with the Australian Communist Party;

(b) a majority of the members of which, or a majority of the members of the committee of management or other governing body of which, were, at any time after the specified date and before the date of commencement of this Act, members of the Australian Communist Party or of the Central Committee or other governing body of the Australian Communist Party;

- (c) which supports or advocates, or, at any time after the specified date and before the date of commencement of this Act, supported or advocated, the objectives, policies, teachings, principles or practices of communism, as expounded by Marx and Lenin, or promotes, or, at any time within that period, promoted, the spread of communism, as so expounded ; or
- (d) the policy of which is directed, controlled, shaped or influenced, wholly or substantially, by persons who—
- (i) were, at any time after the specified date and before the date of commencement of this Act, members of the Australian Communist Party or of the Central Committee or other governing body of the Australian Communist Party, or are communists ; and
  - (ii) make use of that body as a means of advocating, propagating or carrying out the objectives, policies, teachings, principles or practices of communism, as expounded by Marx and Lenin.

(2.) Where the Governor-General is satisfied that a body of persons is a body of persons to which this section applies and that the continued existence of that body of persons would be prejudicial to the security and defence of the Commonwealth or to the execution or maintenance of the Constitution or of the laws of the Commonwealth, the Governor-General may, by instrument published in the *Gazette*, declare that body of persons to be an unlawful association.

(3.) The Executive Council shall not advise the Governor-General to make a declaration under the last preceding sub-section unless the material upon which the advice is founded has first been considered by a committee consisting of the Solicitor-General, the Secretary to the Department of Defence, the Director-General of Security, and two other persons appointed by the Governor-General.

(4.) A body of persons declared to be an unlawful association under sub-section (2.) of this section may, within twenty-eight days after the publication of the declaration in the *Gazette*, apply to the appropriate court to set aside the declaration, on the ground that the body is not a body to which this section applies.

(5.) At the hearing of the application, the applicant shall begin ; if evidence is given in person by such officer or officers of the applicant as the court is satisfied is or are best able to give full and admissible evidence as to matters relevant to the application, the burden shall be upon the Commonwealth to prove that the applicant is a body to which this section applies, but, if evidence is not so given, the burden shall be upon the applicant to prove that the applicant is not a body to which this section applies.

(6.) Upon the hearing of the application, the declaration made by the Governor-General under sub-section (2.) of this section shall, in so far as it declares that the applicant is a body of persons to which this section applies, be *prima facie* evidence that the applicant is such a body.

Unlawful  
associations to  
be dissolved.

6.—(1.) Subject to this section, a body of persons in respect of which a declaration has been made under this Act shall, by force of this Act, upon the expiration of twenty-eight days after the publication of the declaration in the *Gazette*, be dissolved.

(2.) Where the body applies to the appropriate court to set aside the declaration, the body shall not be dissolved upon the expiration of twenty-eight days after the publication of the declaration in the *Gazette*, but, if the court dismisses the application, the body shall, by force of this Act, be dissolved upon the day upon which the court dismisses the application.

Officers and  
members of  
unlawful  
associations  
to cease to act.

7.—(1.) A person shall not knowingly—

- (a) become, continue to be, or perform any act as, an officer or member of an unlawful association ;
- (b) carry or display anything indicating that he is or was an officer or member, or is or was in any way associated with, an unlawful association ;
- (c) contribute or solicit anything, as a subscription or otherwise, to be used directly or indirectly for the benefit of an unlawful association ; or
- (d) in any way take part in any activity of an unlawful association or carry on, in the direct or indirect interest of an unlawful association, any activity in which the unlawful association was engaged, or could have engaged, at the time when it became an unlawful association.

Penalty : Imprisonment for five years.

(2.) A person shall not, after the dissolution of an organization or a body of persons by this Act, knowingly—

- (a) do any act or thing which is calculated or intended to maintain that organization or body of persons in existence ;
- (b) continue, or assume or pretend to continue, any of the activities of that organization or body ; or
- (c) do any other act which assumes or pretends that that organization or body has not been dissolved.

Penalty : Imprisonment for five years.

(3.) Nothing in this section prohibits an officer or member of an unlawful association from performing any act on its behalf which is reasonably necessary for the purposes of an application by the unlawful association to the appropriate court under section five of this Act.

8.—(1.) The instrument under this Act declaring a body of persons to be an unlawful association shall appoint a receiver of the property of that body.

Property of unlawful associations to vest in receiver.

(2.) Upon the day upon which that instrument is published in the *Gazette*, the property of that body shall, subject to this section, vest in the receiver named in the instrument.

(3.) If the appropriate court sets aside the declaration, all sales or dispositions of property, payments made and acts done by the receiver (or by a person acting under his authority) shall be valid but the property of the body shall revert to the body for its estate or interest therein on such terms and subject to such conditions, if any, as the court orders.

(4.) Where any land to which this section applies is subject to the provisions of any law providing for the registration of title to land, the vesting of the legal estate in that land in the receiver shall be subject to compliance with the provisions of that law.

9.—(1.) This section applies to any person—

(a) who was, at any time after the specified date and before the date upon which the Australian Communist Party is dissolved by this Act, a member or officer of the Australian Communist Party; or

(b) who is, or was at any time after the specified date, a communist.

Declaration of communists and members of unlawful associations.

(2.) Where the Governor-General is satisfied that a person is a person to whom this section applies and that that person is engaged, or is likely to engage, in activities prejudicial to the security and defence of the Commonwealth or to the execution or maintenance of the Constitution or of the laws of the Commonwealth, the Governor-General may, by instrument published in the *Gazette*, make a declaration accordingly.

(3.) The Executive Council shall not advise the Governor-General to make a declaration under the last preceding sub-section unless the material upon which the advice is founded has first been considered by a committee consisting of the Solicitor-General, the Secretary to the Department of Defence, the Director-General of Security, and two other persons appointed by the Governor-General.

(4.) A person in respect of whom a declaration is made under sub-section (2.) of this section may, within twenty-eight days after the publication of the declaration in the *Gazette*, apply to the appropriate court to set aside the declaration on the ground that he is not a person to whom this section applies.

(5.) At the hearing of the application, the applicant shall begin ; if he gives evidence in person, the burden shall be upon the Commonwealth to prove that he is a person to whom this section applies, but if he does not give evidence in person, the burden shall be upon him to prove that he is not a person to whom this section applies.

(6.) Upon the hearing of the application, the declaration made by the Governor-General under sub-section (2.) of this section shall, in so far as it declares that the applicant is a person to whom this section applies, be *prima facie* evidence that the applicant is such a person.

(7.) The Governor-General may at any time, by instrument published in the *Gazette*, revoke a declaration made under this section.

Disqualification  
of persons  
declared.

10.—(1.) A person in respect of whom a declaration is in force under this Act—

- (a) shall be incapable of holding office under, or of being employed by, the Commonwealth or an authority of the Commonwealth ;
- (b) shall be incapable of holding office as a member of a body corporate, being an authority of the Commonwealth ; and
- (c) shall be incapable of holding an office in an industrial organization to which this section applies or in a branch of such an industrial organization.

(2.) For the purposes of this section and of the next succeeding section, a member of the Defence Force shall be deemed to be a person employed by the Commonwealth.

(3.) Where the Governor-General is satisfied that a substantial number of the members of an industrial organization are engaged in a vital industry, that is to say, the coal-mining industry, the iron and steel industry, the engineering industry, the building industry, the transport industry or the power industry, or any other industry which, in the opinion of the Governor-General, is vital to the security and defence of Australia, the Governor-General may, by instrument published in the *Gazette*, declare that industrial organization to be an industrial organization to which this section applies.

(4.) If the Governor-General is satisfied that an industrial organization in respect of which a declaration has been made under the last preceding sub-section no longer has a substantial number of members engaged in a vital industry, the Governor-General shall, by instrument published in the *Gazette*, revoke that declaration.

Disqualified  
persons to  
vacate office.

11.—(1.) If, upon the making of a declaration in respect of a person under this Act, that person holds any office referred to in sub-section (1.) of the last preceding section or is employed by the Commonwealth or by an authority of the Commonwealth, that person shall, by force of this Act, be suspended from the office or employment.



(2.) Unless an application has been made to the appropriate court to set aside the declaration, the office held by that person shall, by force of this Act, become vacant, or that person shall cease to be so employed, as the case may be, upon the expiration of the twenty-eighth day after the day upon which the declaration was published in the *Gazette*.

(3.) If an application is made to the appropriate court to set aside the declaration, the suspension effected by sub-section (1.) of this section shall continue until the making of an order by the court upon the application.

(4.) If the court sets aside the declaration, the suspension of the person concerned shall cease, but, if the court dismisses the application, the office held by that person shall, by force of this Act, become vacant, or that person shall cease to be so employed, as the case may be, upon the day upon which the court dismisses the application.

(5.) A person whose office so becomes vacant, or who ceases to be so employed, shall, for the purpose of the determination of his rights in respect of superannuation or other retirement benefit, be deemed to have resigned.

**12.—(1.)** Upon the publication under sub-section (3.) of section ten of this Act of an instrument declaring an industrial organization to be an industrial organization to which that section applies, any office in that industrial organization or in a branch of that industrial organization held by a person in respect of whom a declaration is in force under this Act shall, by force of this Act, but subject to this section, become vacant.

Further provisions with respect to disqualified persons.

(2.) If, at the time of the publication of that instrument, the time within which an application may be made to the appropriate court by that person to set aside the declaration has not elapsed, that person shall, by force of this Act, be suspended from that office.

(3.) Unless an application has been made to the appropriate court to set aside the declaration, that office shall, by force of this Act, become vacant upon the expiration of the twenty-eighth day after the day upon which the declaration was published in the *Gazette*.

(4.) If an application is made to the appropriate court to set aside the declaration, the suspension effected by sub-section (2.) of this section shall continue until the making of an order by the court upon the application.

(5.) If the court sets aside the declaration, the suspension of the person concerned shall cease, but, if the court dismisses the application, the office held by that person shall, by force of this Act, become vacant upon the day upon which the court dismisses the application.

(6.) A person whose office becomes vacant under this section shall, for the purpose of the determination of his rights in respect of superannuation or other retirement benefit, be deemed to have resigned.

**Injunctions.**

**13.—(1.)** The High Court shall have jurisdiction to grant an injunction restraining a person who, under section ten of this Act, is incapable of holding an office in an industrial organization or branch of an industrial organization from performing any act, duty or function, or exercising any right, as the holder of an office in the industrial organization or branch.

(2.) The Attorney-General may apply for an injunction under the last preceding sub-section but this sub-section does not prejudice any right any other person has to apply for such an injunction.

**Contracts not to be made with declared persons.**

**14.** A contract or agreement shall not be made by the Commonwealth or by an authority of the Commonwealth with a person in respect of whom a declaration is in force under this Act under which a fee or other remuneration is payable in respect of the services of that person.

**Duties and powers of receiver.**

**15.—(1.)** It shall be the duty of the receiver of an unlawful association to take possession of the property of the association, to realize that property, to discharge the liabilities of the association and to pay or transfer the surplus to the Commonwealth.

(2.) For the purpose of performing his duties under this Act in relation to an unlawful association, the receiver of that association shall have power—

- (a) to receive, collect, get in and control property of the association ;
- (b) to take proceedings in his own name to recover possession of the property of the association or to obtain payment of moneys owing to the association ;
- (c) to sell or dispose of any of the property of the association ;
- (d) to make any arrangement or compromise which he thinks expedient in relation to the property of the association ;
- (e) to reimburse himself all expenses incurred in or about the execution of his powers ; and
- (f) to take possession of, collect and dispose of books, papers, documents and records relating to, or in the possession or under the control of, the association,

and shall have such other powers as are prescribed.

**Determination of questions by High Court.**

**16.—(1.)** The receiver of an unlawful association may make an application to the High Court to determine any question relating to the property or liabilities of the association or to the performance of his duties or the exercise of his powers under this Act.

(2.) The determination of the High Court shall be binding on the receiver and on the association and on such other persons as are affected by the determination.

**Receiver not to be personally liable in respect of his acts.**

**17.** The receiver of an unlawful association shall not be under any personal liability for or in respect of any act or thing done or omitted to be done in the exercise or purported exercise of any of the powers conferred by or under this Act or for or in respect of any of the liabilities of the unlawful association of which he is receiver.

18. The receiver of an unlawful association may direct that any disposition of property of the association within one year before the date upon which the association was dissolved shall be void as against the receiver and the disposition shall be so void accordingly but nothing in this section affects the rights of a purchaser, payee or encumbrancee in good faith and for valuable consideration or the rights of a person making title in good faith and for valuable consideration through or under a person who is not a purchaser, payee or encumbrancee in good faith and for valuable consideration.

Receiver may avoid certain dispositions.

19. A payment of money or delivery of a security or a negotiable instrument made to or by the order or direction of an unlawful association by its banker in good faith before the date upon which the association was dissolved, or so made after that date without negligence on the part of the banker, shall be valid as against the receiver of the unlawful association.

Protection to bankers.

20. If the receiver of an unlawful association determines that the association is insolvent, the provisions of the *Bankruptcy Act* 1924-1948 relating to proof of debts and priority of payments of debts shall, subject to the regulations, be applicable in relation to the association.

Insolvent unlawful associations.

21.—(1.) A person shall not, with intent to delay or obstruct the performance by the receiver of an unlawful association of any of his functions, or the exercise of his powers, under this Act—

Obstruction of receiver by destroying property, &c.

- (a) destroy or alter, or withhold from the receiver (whether a demand has been made therefor or not), any of the property of the unlawful association, or any book, paper, document, record or security relating to, or in the possession or in the control of, that association; or
- (b) send or attempt to send, or conspire with any other person to send, out of the Commonwealth any such property, book, paper, document, record or security.

Penalty: Imprisonment for five years.

(2.) If, in any prosecution for an offence against this section, it is proved that the person charged with the offence—

- (a) has destroyed, altered or withheld from the receiver any of the property of the unlawful association, or any book, paper, document, record or security in the possession of or under the control of that association; or
- (b) has sent or attempted to send or conspired to send out of the Commonwealth any such property, book, paper, document, record or security,

the onus of proving that in so doing he did not act with intent to delay or obstruct the performance by the receiver of any of his functions, or the carrying out of any of his powers, under this Act shall be upon the person charged.

**Search warrants.**

**22.** If a police, stipendiary or special magistrate is satisfied by information on the oath of an authorized person that there is reasonable ground for suspecting that there is in any house, vessel or place any property of, or books, documents or papers belonging to, an unlawful association, he may grant a search warrant authorizing the authorized person, with such assistance as he thinks necessary, to enter at any time the house, vessel or place named or described in the warrant, if necessary by force, and to take possession of, remove and impound any property (including books, documents or papers) which the authorized person is satisfied belong to that association.

**Jurisdiction of High Court and Supreme Courts.**

**23.—(1.)** The High Court shall have jurisdiction to hear and determine any application made to it under section five, nine or sixteen of this Act.

(2.) The Supreme Court of each State is hereby invested with federal jurisdiction, and jurisdiction is hereby conferred on the Supreme Court of each Territory (being a Territory forming part of the Commonwealth), to hear and determine any application made to it under section five or nine of this Act.

(3.) The jurisdiction of the High Court or of a Supreme Court in relation to an application under section five, nine or sixteen of this Act shall be exercised by a single Justice or Judge and the decision of that Justice or Judge shall be final and conclusive.

(4.) The Commonwealth shall be the respondent to any application under section five or nine of this Act.

**Costs.**

**24.** The High Court or the Supreme Court of a State or Territory of the Commonwealth may award costs in all matters before it under this Act, including matters dismissed for want of jurisdiction.

**Evidence.**

**25.—(1.)** In any proceedings under this Act, proof that, at any time after the specified date and before the date upon which an unlawful association is dissolved by this Act, a person—

- (a) attended a meeting of that association or of a branch of that association, or of a committee of that association or of such a branch ;
- (b) spoke publicly in advocacy of that association or of its objects ;
- (c) distributed literature of that association or in advocacy of its objects ; or
- (d) wrote, issued or published, or caused to be written, issued or published, a document in advocacy of that association or of its objects,

shall be evidence that that person was, during that period, a member or officer of that association, as the case may be.

(2.) Without prejudice to the operation of the next succeeding sub-section, proof in any proceedings under this Act that the name, initials or other means of identification of a person appear—

(a) on a document found at the offices or premises of the Australian Communist Party at Marx House, George Street, Sydney, on the eighth day of July, One thousand nine hundred and forty-nine, being a document—

(i) which purports to show ; or

(ii) from which, in the opinion of the court, it may, in the circumstances, reasonably be inferred,

that that person was a member or officer of the Australian Communist Party ; or

(b) on a list, roll or other record found at the offices or premises of the Australian Communist Party at Marx House, George Street, Sydney, on the eighth day of July, One thousand nine hundred and forty-nine, being a list, roll or record which purports to be, or appears to the court, in the circumstances, to be, a list, roll or record of members or officers of the Australian Communist Party,

shall be evidence that that person was, after the specified date and before the date upon which the Australian Communist Party is dissolved by this Act, a member or officer of the Australian Communist Party, as the case may be.

(3.) Proof in any proceedings under this Act that the name, initials or other means of identification of a person appear—

(a) on a document which was kept or found—

(i) at any office or premises of an unlawful association or of a branch of an unlawful association, or at any office or premises under the control of a member or officer of an unlawful association ;

(ii) in the custody of a member or officer of an unlawful association ; or

(iii) at some other place, or in the custody of some other person, in such circumstances that the court is satisfied that the document is a document prepared or used for the purposes of an unlawful association or for the purposes of a branch of an unlawful association,

being a document—

(iv) which purports to show ; or

(v) from which, in the opinion of the court, it may, in the circumstances, reasonably be inferred,

that that person was a member or officer of that unlawful association or of a branch of that association ; or

(b) on a list, roll or other record which was kept or found—

- (i) at any office or premises of an unlawful association or of a branch of an unlawful association, or at any office or premises under the control of a member or officer of an unlawful association ;
- (ii) in the custody of a member or officer of an unlawful association ; or
- (iii) at some other place, or in the custody of some other person, in such circumstances that the court is satisfied that the list, roll or record is a list, roll or record prepared or used for the purposes of an unlawful association or for the purposes of a branch of an unlawful association,

being a list, roll or record which purports to be, or appears to the court in the circumstances to be, a list, roll or record of members or officers of that unlawful association, or of a branch of that association,

shall be evidence that that person was, after the specified date and before the date upon which that unlawful association is dissolved by this Act, a member or officer of that unlawful association, as the case may be.

(4.) Where, in any proceedings under this Act, it is sought to prove that a person was the author of any printed matter, the fact that the name of that person appears upon that printed matter as the author of that printed matter shall be *prima facie* evidence that that person was the author of that printed matter.

(5.) Where, in any proceedings under this Act, it is sought to prove that any printed matter was printed or published by a person or body of persons, the fact that the name of that person or body of persons appears upon that printed matter as the printer or publisher of that printed matter shall be *prima facie* evidence that that person or body of persons was the printer or publisher of that printed matter.

(6.) For the purposes of this section—

- (a) any reference to an unlawful association includes a reference to a body of persons before it became an unlawful association under this Act ;
- (b) any reference to the name of a person includes a reference to the surname of that person together with any of his Christian names, or together with the initial or initials of all or any of his Christian names ; and
- (c) any reference to printed matter includes a reference to words represented or reproduced in any visible form.

**26.** The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this Act and in particular for prescribing penalties not exceeding Five hundred pounds or imprisonment for six months for any offence against the regulations. **Regulations.**

**27.** Where the Governor-General is satisfied that the continuance in operation of this Act is no longer necessary either for the security and defence of Australia or for the execution and maintenance of the Constitution and of the laws of the Commonwealth, the Governor-General shall make a Proclamation accordingly and thereupon this Act shall be deemed to have been repealed. **Duration of Act.**

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