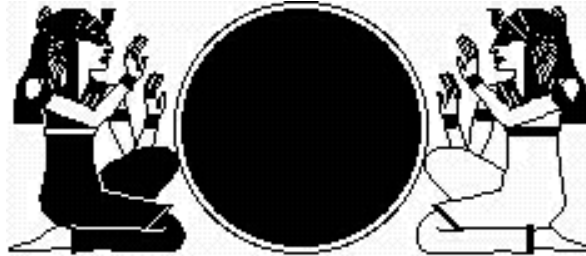


Temple of the Dark Moon



Status of Religious Recognition within Australia

Prepared by the Temple of the Dark Moon

It is important for Australian Pagans to realise that the Australian Government DOES NOT officially recognise any religion, Christian, Muslim, Pagan or otherwise. Unlike countries like the United States of America where under their governing Constitution specific allowances can be found, the Australian Constitution has no such allowances. In fact, Section 116 of the Australian Constitution states quite clearly:

“Commonwealth not to legislate in respect of Religion

The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.”

Unless the Australia Constitution is actually changed, this means that no religion can be recognised legally or even illegally by the Australian Government. The only time that the Australian High Court was forced to adopt an equalitarian concept of the status of religions and religious groups was in 1983 in the matter of *the Church of the New Faith v Commission of Pay-Roll Tax (Victoria)*. However, it should be pointed out that this ruling was made under taxation legislation and does not form part of the Australian Constitution.

The Australian Government can however, enact legislation in regards to religious institutions and other such bodies.

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