



Queensland

Australian Waste Lands Act 1855

Reprinted as in force on 11 April 1996

Reprint No. 1*

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 11 April 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including table of obsolete and redundant provisions.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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Australian Waste Lands Act 1855

[as amended by all amendments that commenced on or before 11 April 1996]

An Act to repeal the Acts of Parliament now in force respecting the disposal of the waste lands of the Crown in Her Majesty's Australian Colonies, and to make other provision in lieu thereof

3 Powers of the repealed Acts continued for certain purposes in this country

The powers vested by the said Acts¹ hereby repealed in Her Majesty, the Treasury, and the Colonial Land and Emigration Commissioners respectively, shall continue so far as regards the appropriation and application of moneys which may be received from the said colonies respectively under and by virtue of the provisions of the said Acts or either of them.

4 Power to amend or repeal orders in council

It shall be lawful for the legislature of any colony in which the repeal of the said Act of the tenth year of Her Majesty shall have taken effect to repeal, alter, or amend any order in council made under authority of the said Act, and affecting such colony; but subject, nevertheless, so far as respects the Colonies of New South Wales and Victoria respectively, to the provisions in the said Acts of this session for the preservation and enabling the fulfilment of contracts, promises, and engagements made by or on behalf of Her Majesty with respect to lands situate in such respective colonies; and, until

¹ The Act of the sixth year of the reign of Her Majesty Queen Victoria ch 36 intituled 'An Act for regulating the sale of waste lands belonging to the Crown in the Australian Colonies' and the Act of the tenth year of the reign of Her Majesty Queen Victoria ch 104 intituled 'An Act to amend an Act for regulating the sale of waste land belonging to the Crown in the Australian Colonies and to make further provision for the management thereof'.

so repealed, and subject to any such alteration or amendments, every such order in council shall have the same force and effect as if this Act had not been passed.

5 Power to the Legislature of Van Diemen's Land and of South Australia when its constitution is altered to dispose of waste land notwithstanding provisions of 5 and 6 Vic c 76 and 13 and 14 Vic c 59

(This section is not reprinted as it is not applicable to Queensland.)

6 Existing regulations maintained in force until altered

All regulations respecting the sale or other disposal of the waste lands of the Crown, made under the authority of the said recited Acts or either of them, which shall be legally in force in New South Wales, Victoria, Van Diemen's Land, or South Australia, at the date when the present Act shall take effect in the said colonies respectively, shall remain in force in each of the said colonies respectively until the Legislature of such colony shall otherwise provide.

8 Past appropriations to be valid

No appropriation which has been or shall be made of the proceeds of the sale or disposal of the waste lands of the Crown in either of the said colonies shall be deemed invalid by reason of its not having been made in accordance with the provisions of the said Acts of Parliament hereby repealed.

9 As to the term *Governor*

In this Act—

Governor shall mean the person for the time being lawfully administering the government of any colony.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 11 April 1996. Future amendments of the Australian Waste Lands Act 1855 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	1896 59 & 60 Vic c 14	20 July 1896	11 April 1996

5 List of legislation

Australian Waste Lands Act 1855 18 & 19 Vic c 56 (Imp)

date of assent 16 July 1855

commenced on date of assent

amending legislation—

Western Australia Constitution Act 1890 53 & 54 Vic c 26 (Imp) s 4(1)

date of assent 25 July 1890

commenced on date of assent

Statute Law Revision Act 1892 55 & 56 Vic c 19 (Imp) s 1 sch

date of assent 20 June 1892

commenced on date of assent

Short Titles Act 1896 59 & 60 Vic c 14 (Imp) s 1 sch 1

date of assent 20 July 1896

commenced on date of assent

6 List of annotations

Note—The short title was given to this Act by the Short Titles Act 1896 59 & 60 Vic c 14 (Imp) s 1 sch 1.

Preamble amd 55 & 56 Vic c 19 s 1 sch

5 and 6 Vic c 36 and 9 and 10 Vic c 104 repealed

s 1 om 1892 55 & 56 Vic c 19 s 1 sch

Periods at which this Act is to take effect in the Australian colonies respectively 13 and 14 Vic c 59

s 2 om 1892 55 & 56 Vic c 19 s 1 sch

Powers of the repealed Acts continued for certain purposes in this country

s 3 amd 1892 55 & 56 Vic c 19 s 1 sch

Power to the Legislature of Van Diemen's Land and of South Australia when its constitution is altered to dispose of waste land notwithstanding provisions of 5 and 6 Vic c 76 and 13 and 14 Vic c 59

s 5 (This section is not reprinted as it is not applicable to Queensland.)

Power to regulate the disposal of waste lands in Western Australia

s 7 om 1890 53 & 54 Vic c 26 s 4(1)

7 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

Omitted provision

Provision making omitted
provision obsolete/redundant

definitions to be read in context

Acts Interpretation Act 1954
s 32A