



Foreign Governments (Titles to Land) Act 1948

Reprinted as in force on 6 May 2004

Reprint No. 1A^{*}

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the Office of the Queensland Parliamentary Counsel
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* 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 6 May 2004. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised 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 an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Foreign Governments (Titles to Land) Act 1948

Contents

		Page
1	Short title	3
2	Purposes for which foreign governments may hold land	3
3	Authority for foreign government to hold land in Queensland.	3
4	Registration of title of foreign government to land	4
5	Exemption from land tax and rates.	5
6	Extent of application of State law	5
7	Regulation-making power.	6

Endnotes

1	Index to endnotes.	7
2	Date to which amendments incorporated.	7
3	Key	8
4	Table of reprints	8
5	Tables in earlier reprints.	8
6	List of legislation.	9
7	List of annotations	9

Foreign Governments (Titles to Land) Act 1948

[as amended by all amendments that commenced on or before 6 May 2004]

An Act to empower governments of countries outside the Commonwealth and their accredited agents to hold land in Queensland for diplomatic, consular, and official purposes

1 Short title

This Act may be cited as the *Foreign Governments (Titles to Land) Act 1948*.

2 Purposes for which foreign governments may hold land

Subject to this Act, the government of any country outside the Commonwealth or any accredited agent of that government may, notwithstanding any prohibition, disqualification, or limitation imposed by any Act or law, hold land in Queensland for any estate or interest therein (including an interest in a lease granted under the *Land Act 1994*) for any diplomatic, consular, or official purpose of that government or for the purpose of an official residence for any accredited agent of that government or for all or any number of those purposes.

3 Authority for foreign government to hold land in Queensland

The government of a foreign country, or the accredited agent of a government of a foreign country, may only hold an estate or interest in land in Queensland for a purpose mentioned in section 2 if the Governor in Council has, by gazette notice, authorised the country or agent to hold the estate or interest.

4 Registration of title of foreign government to land

- (1) The registrar of titles or the chief executive may, upon being satisfied that the government of any country outside the Commonwealth or any accredited agent of that government has acquired any estate or interest in land in Queensland and that the Governor in Council has authorised such government or accredited agent to hold such estate or interest, register such government or accredited agent as the holder of such estate or interest.
- (1A) An accredited agent may be so registered by the accredited agent's official title or designation, in which case the person from time to time holding, or performing the functions of, the office to which such official title or designation applies shall for the purposes of this Act be the holder of the estate or interest registered in such official title or designation.
- (2) The government of any country outside the Commonwealth or any accredited agent of that government may (subject to every other party to the transaction being capable in law of being such party) at any time convey and transfer or otherwise deal with any estate or interest held by it, him or her in any land in Queensland.
- (3) Any transfer, instrument, or other document or writing whatsoever required to be executed for the purpose of conveying or transferring or otherwise dealing with any estate or interest in land to or from the government of any country outside the Commonwealth may be executed for or on behalf of such government by any accredited agent of that government or by any person thereunto appointed by any such accredited agent.
- (4) A certificate under the hand of the Minister that any person named therein is the accredited agent of the country outside the Commonwealth specified in such certificate or that any person named therein is the person for the time being holding or performing the functions of the office to which an official title or designation specified in such certificate applies shall be sufficient proof to the registrar of titles or the chief executive of any fact so certified.

(5) In this section—

chief executive means the chief executive of the department administering the *Land Act 1994*.

5 Exemption from land tax and rates

Despite any other Act, a regulation may exempt land held under an authorisation mentioned in section 3 from liability to land tax or rates if—

- (a) the Commonwealth, or an accredited agent of the Commonwealth, holds land in a foreign country for a diplomatic, consular or official purpose of the Commonwealth; and
- (b) the land is exempt from all or any of the taxed and rates charged on land under the laws of the country;

6 Extent of application of State law

- (1) The government of any country outside the Commonwealth or any accredited agent of that government shall in respect of any land held by it or the accredited agent pursuant to this Act have and enjoy all rights and privileges which would be had and enjoyed by a private person if such land were held by such private person but, subject to the foregoing provisions of this section, and to the provisions of section 5, no right, privilege, or immunity excepting such rights, privileges, and immunities as by law or custom are accorded to diplomatic, consular, and official representatives of countries outside the Commonwealth, their families and employees, shall attach to, arise out of, or be claimable by any person whomsoever by reason of the holding by the government of any country outside the Commonwealth or any accredited agent of that government of any land in Queensland.
- (2) Moreover subject to observing all such rights, privileges, and immunities as are by law or custom accorded to diplomatic, consular, and official representatives of countries outside the Commonwealth, their families and employees, all laws of this State shall, except as otherwise provided under this Act, be enforceable and may be enforced with respect to such land

[s 7]

and persons and things therein or thereon to the same extent as such laws would be enforceable and could be enforced if such land were held by a private person.

7 Regulation-making power

The Governor in Council may make regulations under this Act.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	7
3 Key	8
4 Table of reprints	8
5 Tables in earlier reprints	8
6 List of legislation	9
7 List of annotations	9

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 6 May 2004. Future amendments of the Foreign Governments (Titles to Land) Act 1948 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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	1995 Act No. 58	28 November 1995	15 January 1996

Reprint No.	Amendments included	Effective	Notes
1A	2004 Act No. 4	6 May 2004	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	1
Renumbered provisions	1

6 List of legislation

Foreign Governments (Titles to Land) Act 1948 12 Geo 6 No. 12

date of assent 1 April 1948

commenced on date of assent

amending legislation—

Statute Law (Miscellaneous Provisions) Act 1993 No. 32 ss 1–3 sch 1

date of assent 3 June 1993

commenced on date of assent

Statute Law Revision (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

Natural Resources and Other Legislation Amendment Act 2004 No. 4 ss 1, 57 sch

date of assent 6 May 2004

commenced on date of assent

7 List of annotations

Purposes for which foreign governments may hold land

s 2 amd 1995 No. 58 s 4 sch 1

Authority for foreign government to hold land in Queensland

s 3 sub 1993 No. 32 s 3 sch 1

Registration of title of foreign government to land

s 4 amd 1995 No. 58 s 4 sch 1

Exemption from land tax and rates

s 5 sub 1993 No. 32 s 3 sch 1; 1995 No. 58 s 4 sch 1

Regulation-making power

prov hdg amd 2004 No. 4 s 57 sch

s 7 ins 1995 No. 58 s 4 sch 1