



Queensland Boundaries Declaratory Act 1982

Reprinted as in force on 10 November 1994

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 10 November 1994.

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

- express gender specific provisions in a way consistent with current legislative drafting practice (s 24)
- use standard punctuation consistent with current legislative drafting practice (s 27)
- use expressions consistent with current legislative drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current legislative drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A).

This page is specific to this reprint. A table of reprints is included in the endnotes.

See endnotes for information about—

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

Spelling

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



Queensland

Queensland Boundaries Declaratory Act 1982

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Queensland Boundaries Declaratory Act 1982

[reprinted as in force on 10 November 1994]

An Act to declare with respect to certain of the land boundaries of the State of Queensland and with respect to the construction of certain references in the law of the State and in instruments to which that law applies and for related purposes

Whereas by letters patent made 6 June 1859, which erected into the Colony of Queensland the territory described therein, the land boundaries of the colony were defined in part by reference to the latitude 29° south and by reference to the longitude 141° east:

And whereas by letters patent made 13 March 1862 there was annexed to the Colony of Queensland the territory lying northward of the latitude 26° south and between the longitudes 141° east and 138° east:

And whereas the difficulties associated with the location upon the surface of the earth of a boundary defined by reference to a parallel of latitude or a meridian of longitude required the delineation and determination of that boundary by marking it upon the surface of the earth:

And whereas pursuant to agreements and arrangements made the locations of the land boundaries of the Colony of Queensland defined in the letters patent by reference to parallels of latitude or meridians of longitude have been ascertained by survey and have been permanently fixed by marking them upon the surface of the earth and those locations have been accepted and acted upon for generations:

And whereas the Colony of Queensland, having become part of the Commonwealth of Australia, is now the State of Queensland:

1 Short title

This Act may be cited as the *Queensland Boundaries Declaratory Act 1982*.

2 Meaning of terms

In this Act—

instrument means any—

- (a) letters patent, proclamation, commission, order in council, regulation, ordinance or by-law;
- (b) grant or lease of land or any interest in land or of authority licence or right to be in or upon, to use or to take up and occupy any land;
- (c) order of a court, warrant or notice issued under the authority of law;
- (d) contract, agreement, document or writing of any kind whatever that evidences rights or obligations enforceable at law;

that falls to be construed according to the law of the State of Queensland.

the Letters Patent means the letters patent referred to in the preamble to this Act and either of them.

3 State land boundaries

Each land boundary of the State in so far as it is defined in the Letters Patent by means of a reference to a parallel of latitude or a meridian of longitude is and always has been the boundary that in relation to that parallel or meridian has been permanently fixed by marking it upon the surface of the earth before the year 1900 notwithstanding any map, chart, document or writing of any kind whatever that purports to show the boundary elsewhere than as so permanently fixed.

4 Construction of instruments

In any Act or instrument—

- (a) a reference (in whatever words expressed) to a land boundary of the State, being a boundary defined in the Letters Patent by means of a reference to a parallel of latitude or a meridian of longitude, or to any part of such a boundary; or
- (b) a reference to a parallel of latitude or a meridian of longitude referred to in Letters Patent;

shall be taken to be a reference to that boundary of the State that has been permanently fixed by marking it upon the surface of the earth before the year 1900 and, where the reference is in an Act enacted or instrument made before the commencement of this Act, shall be taken to have been such a reference since the enactment of the Act or, as the case may be, the making of the instrument.

5 Act not to found liability

Neither the Crown nor any person shall be held to incur liability to pay damages or to make other remedy on account of loss or injury claimed by any person to have been suffered by the person by reason of the enactment of this Act.

Endnotes

1 Index to 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). However, no amendments have commenced operation on or before that day. Future amendments of the Queensland Boundaries Declaratory Act 1982 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	none	18 November 1982	10 November 1994

5 List of legislation

Queensland Boundaries Declaratory Act 1982 No. 54

date of assent 18 November 1982

commenced on date of assent

6 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
references to Queensland implied	Acts Interpretation Act 1954 s 35