



Queensland

# Queensland Temperance League Lands Act 1985

Reprinted as in force on 7 September 2001

Reprint No. 1A\*

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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 7 September 2001. 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 reprints.**

## **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.



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# Queensland Temperance League Lands Act 1985

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# Queensland Temperance League Lands Act 1985

[as amended by all amendments that commenced on or before 7 September 2001]

**An Act to free and discharge certain lands vested in Queensland Temperance League from the trusts upon which the lands are held, to provide for the application of the net proceeds of sale of the lands, the holding of real property by the league and for related purposes**

## 1 Short title

This Act may be cited as the *Queensland Temperance League Lands Act 1985*.

## 2 Interpretation

In this Act—

***lands*** means the lands described in the schedule 1 and schedule 2 and includes all improvements on the lands.

***league*** means the Queensland Temperance League and, if it changes its name, the body whatever it is subsequently called.

***net proceeds of sale*** means the value of the consideration for the sale less all outgoings on account of liabilities reasonably incurred by the vendor in connection with negotiating and completing the sale other than outgoings directed to securing to the purchaser a title to the real property sold free of encumbrances and equities.

***real property*** means land or land and improvements held for an estate in fee simple.

### **3 Vesting of lands free from trusts**

- (1) It is declared that the lands vest in the league for an estate in fee simple saving always to the Crown all the rights and interests reserved to the Crown by the deeds of grant by which the lands were alienated by the Crown.
- (2) All trusts that at the passing of this Act affect the lands are extinguished.

### **4 Power of league to deal with lands**

- (1) The league has and shall be deemed to have always had power to sell, by public auction or private treaty, lease, mortgage, and otherwise deal with the lands and any part thereof, notwithstanding the provisions of any other Act.
- (2) A person who at any time before the passing of this Act has entered into an agreement to purchase an estate or interest in the lands or any part thereof from the league shall be deemed to have agreed to purchase and, subject to the terms of the agreement, is entitled to a conveyance of the estate or interest freed and discharged from all trusts extinguished by section 3(2).

### **6 Application of proceeds of sale**

The league may apply the net proceeds of sale of the lands and any income arising therefrom towards such of its purposes, as they exist from time to time, as it thinks fit in accordance with its constitution and rules.

### **7 League to own real property to minimum value**

- (1) The league shall at all times own real property to a value of 50% at the least of the net proceeds of sale of the lands.
- (2) The league shall apply the real property owned by it to comply with subsection (1) or the net income arising therefrom or both (whichever the league considers to be in its best interests) towards such of its purposes, as they exist from

time to time, as it thinks fit in accordance with its constitution and rules.

**8 League may vary real property**

The league shall not be taken to be in breach of its duty prescribed by section 7(1) by reason of a sale of real property that reduces the value of real property owned by it to less than the minimum value prescribed by that subsection if the sale is made with a view to the league's acquisition of other real property sufficient to comply with that subsection and such other real property is acquired by the league as soon as is practicable and prudent.

**9 Minister entitled to financial information**

The league shall furnish to the Minister a copy of its balance sheet and its income and expenditure account, certified correct by a person who is a registered company auditor under the Corporations Act, in respect of a period of 1 year terminating on 30 June, as required from time to time by the Minister and within a time specified by the Minister.

## **Schedule 1**

### section 2

All that land situated in the county of Stanley, parish of North Brisbane, City of Brisbane, being subdivision 2 of resubdivision A of subdivision A of allotment 5 of section 23 containing 1540.275m<sup>2</sup> more or less, contained in certificate of title volume 1799 folio 96.

## Schedule 2

### section 2

All that land situated in the county of Stanley, parish of North Brisbane, City of Brisbane, being subdivision 1 of allotment 4 of section 23 containing 809m<sup>2</sup> more or less, contained in certificate of title volume 5053 folio 42.

## 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 7 September 2001. Future amendments of the Queensland Temperance League Lands Act 1985 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	1993 Act No. 32	3 June 1993	25 January 1996
1A	2001 Act No. 45	15 July 2001	7 September 2001

### 5 Tables in earlier reprints

Name of table	Reprint No.
Obsolete and redundant provisions	1

## 6 List of legislation

### **Queensland Temperance League Lands Act 1985**

date of assent 5 September 1985

commenced on date of assent

amending legislation—

### **Public Service (Administrative Arrangements) Act 1990 (No. 2) No. 80 ss 1, 2(1), 3 sch 6**

date of assent 14 November 1990

commenced on date of assent

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

date of assent 3 June 1993

commenced on date of assent

### **Corporations (Ancillary Provisions) Act 2001 No. 45 ss 1–2, 29 sch 3**

date of assent 28 June 2001

ss 1–2 commenced on date of assent

sch 3 commenced 15 July 2001 (see s 2(2) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)

remaining provision commenced immediately before 15 July 2001 (see s 2(1) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)

## 7 List of annotations

### **Interpretation**

s 2 def “league” sub 1993 No. 32 s 3 sch 1

def “the Minister” sub 1990 No. 80 s 3 sch 6

om 1993 No. 32 s 3 sch 1

### **Repeal of Act of 53 Vic. (1889)**

s 5 om R1 (see RA s 40)

### **Minister entitled to financial information**

s 9 amd 2001 No. 45 s 29 sch 3