



# Salvation Army (Queensland) Property Trust Act 1930

Reprinted as in force on 15 December 1995

Reprint No. 1\*

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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 15 December 1995. 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—

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- reorder definitions consistent with current drafting practice (s 30)
- 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 unnecessary referential words (s 41)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43)
- make all necessary consequential amendments (s 7(1)(k)).

This page is specific to this reprint. See previous reprints 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 the reprint, including—**
  - **table of obsolete and redundant provisions**
  - **table of renumbered 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

# Salvation Army (Queensland) Property Trust Act 1930

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# Salvation Army (Queensland) Property Trust Act 1930

[as amended by all amendments that commenced on or before 15 December 1995]

## An Act to provide for the temporal affairs of the Salvation Army in the State

### Preamble

Whereas by a deed poll, the *deed of constitution*, dated 7 August 1878, and under the hand and seal of William Booth, and afterwards enrolled in the Chancery Division of the High Court of Justice in England on 13 August 1878, the origin and doctrines of the Christian Mission therein referred to were recited and stated; and it was by the said deed poll amongst other things provided that the said Christian Mission was and should always be thereafter under the oversight, direction, and control of some 1 person who should be the general superintendent thereof, whose duty it should be to determine and enforce the discipline and laws and superintend the operations of the said Christian Mission, and to conserve the same to and for the objects and purposes for which it was first originated; and that the said general superintendent should have the powers therein mentioned that the said William Booth should continue to be for the term of his natural life the general superintendent of the said Christian Mission unless he should resign such office; that the said William Booth and other general superintendent who should succeed him should have power to appoint his successor to the office of general superintendent, and all the rights, powers, and authorities should vest in the person so appointed upon the decease of the said William Booth or other general superintendent appointing the person, or at such other period as might be named in the document appointing the person; and that it

should be the duty of every general superintendent to make in writing as soon as conveniently might be after appointment a statement as to the general superintendent's successor, and as to the means which were to be taken for the appointment of the successor on the decease of the general superintendent or upon the general superintendent ceasing to perform the duties of the office, such statement to be signed by the general superintendent and delivered under seal to the solicitor for the time being of the said Christian Mission; but such statement might be altered at will by the general superintendent at any time during the general superintendent's continuance in office pending a new statement being signed by the general superintendent and delivered as before mentioned to such solicitor as aforesaid.

And whereas by the said recited deed poll it was provided that the general superintendent should have power to expend on behalf of the Christian Mission all moneys contributed for the general purposes of the said Christian Mission, or for any of the special objects of its operations, but the general superintendent should annually publish a balance sheet duly audited of all such receipts and expenditure; and that the general superintendent should have power to acquire by gift, purchase, or otherwise any hall or meeting house, schoolroom, vestry, land, building and appurtenances, and any seats, fittings, furniture, or other property whatsoever which might in the general superintendent's judgment be required for the purposes of the said Christian Mission, and to build upon such land or alter or pull down any such buildings, and to hire on lease or otherwise any land or buildings, and to lend, give away, and sell or otherwise dispose of any such properties, lands, or buildings as the general superintendent might deem necessary in the interests of the said Christian Mission, wherein all trustees should render the general superintendent every assistance; and that the general superintendent might in all such cases as the general superintendent should deem it expedient so to do nominate trustees or a trustee of any part or parts thereof, respectively, of any such property, and direct the conveyance and transfer thereof to such trustees or trustee with power for the general superintendent to declare the trusts thereof, and from time to

time if it should seem expedient to the general superintendent so to do to revoke any such trusts or the appointment of any such trustees or trustee, and pending such revocation the same property should be conveyed or transferred to such persons or person upon such trusts as the general superintendent might direct, but only for the benefit of the said Christian Mission.

And whereas by a further deed poll under the hand of the said William Booth, bearing date 26 July 1904, and enrolled in the Supreme Court of Judicature, England, on 27 July 1904, it was recited that on or about 1 January 1879, the name of the said religious society or organisation was changed from 'The Christian Mission' to 'The Salvation Army,' as appears by memorandum under the hand of the said William Booth, dated 24 June 1880, and endorsed on the said recited deed poll of 7 August 1879; and that the said society or organisation had since been and was then known as it now is as the Salvation Army, and that the title of the 'general superintendent' thereof had been altered and shortened into that of 'general,' and that the said William Booth was then known and designated, and it was expected that every successor of his would be thereafter known and designated, as the 'general' of the Salvation Army.

And whereas it was also recited by the lastly herein recited deed poll of 26 July 1904, that in order to minimise the possibility of doubt, dispute, or litigation it was considered desirable to provide more fully and specifically than was done by the deed of constitution for the events in which the general for the time being should cease to perform the duties of office, and also for the nomination and appointment of a successor to the general for the time being on the general dying or ceasing to perform the duties of office; and that the said William Booth had accordingly determined to execute the said recited deed poll of 26 July 1904.

And whereas the said deed poll now in recital sets forth more fully and effectually such events, and makes provision, inter alia, that every general for the time being of the Salvation Army should be deemed to cease to perform the duties of office within the meaning of clause 6 of the said deed of constitution, and to vacate such office upon the happening of any of the events therein referred to, that is to say: if, inter

alia, the commissioners of the Salvation Army, or a majority of such commissioners amounting to at least 4 in 5, should declare in writing under their hands that they are satisfied that the general is, inter alia, permanently incapacitated by mental or physical infirmity from the adequate performance of the duties of office, or if a resolution adjudicating the general unfit for office, and removing the general therefrom, should be passed by a majority of not less than three-fourths of the members present and voting at a meeting of the high council of the Salvation Army as thereafter provided for.

And whereas by a deed poll under the hand and seal of William Bramwell Booth, bearing date 1 June 1920, it was recited that the said William Booth had died on 20 August 1912, having by deed poll under his hand and seal dated 21 August 1890, in exercise of the power in that behalf vested in him by the said deed of constitution as aforesaid, appointed the said William Bramwell Booth to be his successor in the office of general of the Salvation Army; and that the said William Bramwell Booth had by deed poll under his hand and seal, dated 23 August 1912, duly accepted the said office.

And whereas it was recited by the said recited deed poll of 1 June 1920, that in connection with and as the outcome of the work, teaching, and experience of the Salvation Army in the United Kingdom and in Australia and in other countries of the world, the said William Booth and the said William Bramwell Booth had evolved and promulgated various operations for the social, temporal, and moral welfare of the poorer and more needy classes of society, and all persons who were destitute, feeble-minded, or vicious, or suffering from injuries or sickness or ill-health, or orphans, or for children needing care in orphanages or reformatories, and for other charitable purposes, which operations are generally known and described as the social work of the Salvation Army, and which in relation to the Commonwealth of Australia (the *said Commonwealth*), are sometimes referred to as the social work; and that in connection with the carrying out of the social work in the said Commonwealth the said William Booth and the said William Bramwell Booth as his successor in office had acquired certain real and personal property particularised in the schedule thereto, and other real and

personal property would thereafter be acquired for the purposes of the social work; and that it was thought desirable that the same, respectively, should be kept distinct from the other or proper real and personal property of the Salvation Army, and be used and devoted exclusively in and to the social work in and connected with the said Commonwealth; and that the social work should be confined and regulated, and the trusts of the said real and personal property already acquired and thereafter to be acquired for or in connection therewith declared as thereafter appearing.

And whereas by the said recited deed poll of 1 June 1920, the said William Bramwell Booth declared that the real and personal property particularised in the said schedule, and all property real and personal which might thereafter be acquired by gift, grant, purchase, or in any manner whatsoever for the purposes of the social work in or in connection with the said Commonwealth, and all real and personal property for the time being representing the same or any part thereof, respectively, and all which are sometimes thereafter collectively referred to as the trust property, should at all times thereafter be held upon trust to use and apply the same and the income thereof for the social, temporal, and moral welfare and the improvement of the poorer and more needy classes of society, and all persons who were destitute, or vicious, or feeble-minded, or suffering from injuries or sickness or ill-health, or orphans, or for children needing care in orphanages or reformatories in the said Commonwealth, and for other charitable purposes in connection with the said Commonwealth, in such ways and by such means as the said William Bramwell Booth or other the director, as thereafter defined for the time being, of the social work, should at any time or from time to time think fit, subject nevertheless to the provisos therein contained.

And whereas by the said deed poll now in recital it was provided that the said social work should at all times thereafter be under the oversight, direction, and control of the person who should for the time being be general of the Salvation Army, and the general should be called in relation to the social work the director of the social work (the *said director*); and that it should be the director's duty to determine

and enforce the laws and tot superintend the operations of the social work, and to conserve the same and the trust property for the purpose of the trusts thereby declared.

And whereas it was provided that for the purpose of identifying or earmarking the trust property and the income thereof, and of keeping the same distinct from all property of the Salvation Army, full accounts of all moneys contributed, collected, or received for the social work, and of the application thereof, should be kept in such manner as to keep the same always distinct and separate from the property of the Salvation Army; and that all conveyances, leases, transfers, assignments, and assurances made to the director for the time being for the purposes of the social work should be expressed to be made to the director as such director, and should thereupon become subject to the trusts of the presents now in recital; and that whenever any property real or personal required for the purposes of the social work should be conveyed, leased, assigned, transferred, or assured to any trustees or trustee other than the director for the time being, such trustees or trustee should in each case execute a sufficient declaration of trust so as in every case to enable the property so conveyed, leased, assigned, transferred, or assured to be sufficiently identified or earmarked as being property devoted to the purposes of the social work.

And whereas the said recited deed poll of 1 June 1920, set forth the powers which the director should have over and on and concerning the said trust property.

And whereas at a duly convened meeting of the high council of the Salvation Army held at Sunbury, in the United Kingdom, on 13 February 1929, the high council of the Salvation Army referred to in the said recited deed poll of 26 July 1904, duly and in accordance with the said deed poll adjudicated the said William Bramwell Booth unfit for office, and removed him therefrom, and by way of record declared that the said adjudication was based upon the state of health of the said William Bramwell Booth; and the said high council in pursuance of the power vested in it by the said deed poll of 26 July 1904, elected Edward John Higgins, a commissioner of

the Salvation Army, as successor in the office of general of the Salvation Army to the said William Bramwell Booth.

And whereas by deed poll under his hand and seal dated 13 February 1929, the said Edward John Higgins duly accepted the said office upon and subject to the terms of the said recited deeds poll dated 7 August 1878, and 26 July 1904.

And whereas the said William Bramwell Booth died on 16 June 1929.

And whereas it is expedient to provide that the whole of the property real and personal of the Salvation Army in Queensland, which was at the time of his death held and now stands in the name of the said William Bramwell Booth, upon the trusts of the hereinbefore recited deeds poll of 7 August 1878, and 26 July 1904, and 1 June 1920, respectively, and also that all other property real and personal, of or to which the Salvation Army in Queensland is entitled, held by and standing in the name of the said William Bramwell Booth at the time of his death, or now standing in the name or names of any other person or persons, and which the general for the time being of the Salvation Army as such general and as director of the said social work of the Salvation Army, respectively, is entitled to have vested in the general upon the trusts of the said recited deeds poll according to the nature of the same shall vest in a body of trustees, and the said trustees shall be a body corporate with the powers and authorities hereinafter set forth.

## 1 Short title

This Act may be cited as the *Salvation Army (Queensland) Property Trust Act 1930*.

## 2 Definitions

In this Act—

*general* or *the general* means the general of the Salvation Army under its constitution, or the general's attorney for the time being, in or for the State duly authorised in that behalf, or such other person as shall for the time being have vested in the

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person under the said constitution general control and authority over the property in England of the Salvation Army, or the attorney for the time being in or for the State of such other person duly authorised in that behalf.

*trustees* or *trust* means the Salvation Army (Queensland) Property Trust.

### **3 Incorporation of trustees—power to hold real and personal property etc.**

The trustees shall be a body corporate by the name of the Salvation Army (Queensland) Property Trust and shall have perpetual succession and a common seal, and shall be capable of acquiring, holding, managing, controlling and, subject to this Act, granting, mortgaging, demising, selling, disposing of, exchanging, dedicating lands for public roads, granting rights of way or other easements, and otherwise dealing with any property real or personal and of suing and being sued by the aforesaid name, and doing and suffering all such other acts and things as bodies corporate may by law do or suffer.

### **4 Number and appointment of trustees**

The number of the trustees shall be not less than 5 and not more than 7, and shall consist of persons, whether resident in Queensland or not, appointed from time to time in writing by the general.

### **5 Custody of common seal and quorum of trustees**

The trustees for the time being shall have the custody of the common seal of the said corporate body, and the form of such seal and all other matters relating thereto shall from time to time be determined at a meeting of the said corporate body, and 3 members for the time being of the said corporate body shall constitute a quorum.

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## 6 Execution of deed

- (1) Any deed or instrument executed or signed, and any other act, matter, or thing done by any 3 members of the corporate body aforesaid, and in pursuance of a resolution of the said corporate body and under the common seal of the said corporate body, shall be as effectual as if the same had been executed, signed, or done by all the members of the said corporate body.
- (2) However, any resolution passed by a majority of members of the said corporate body voting thereon, and in favour of which not less than 3 of the said members voted, shall be deemed to be a resolution of the said corporate body, and shall be given effect to as such.

## 7 Vesting of property in trustees

All lands, tenements, and hereditaments including chattels real situate in the State, together with all rights, easements, and appurtenances relating thereto, and all personal property which were at the time of his death held by and now stand in the name of the said William Bramwell Booth as general of the Salvation Army or director of the social work of the Salvation Army, respectively, upon the trusts of the said respective deeds poll, and all other lands, tenements, and hereditaments whatsoever, including chattels real situate as aforesaid, and all personal property including shares in the Gas Corporation of Queensland Limited which were at the time of his death held by and at the time of the passing of this Act stand in the name of the said William Bramwell Booth, or which he would but for his death have been entitled to hold or to have registered in his name, or which are held by or stand in the name or names of any other person or persons in trust for the Salvation Army in Queensland, or for any of its funds or any auxiliary or department of its work, or any corps or institution of the Salvation Army in Queensland or to which the Salvation Army in Queensland is otherwise entitled, save and except any property held by the Salvation Army Auxiliary Company of Australia Proprietary Limited, shall without any conveyance or transfer vest in the trustees upon the trusts and with the powers, authorities, and discretions and subject to the

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terms, provisions, and conditions of this Act and of the said recited deed of constitution, and the said deed poll of William Booth bearing date 26 July 1904, or the deed poll under the hand and seal of William Bramwell Booth bearing date 1 June 1920, according to the particular trusts in each case, upon which the same shall be held at the time of the passing of this Act, but subject and without prejudice to any special trusts (if any) upon which the same may be held, and subject also to any reservation, mortgage, charge, encumbrance, lien, or lease affecting the same respectively, and subject and without prejudice to any resulting trust or any trust of any such lands, tenements, or hereditaments or personal property in favour of the donor or any person or corporation other than the Salvation Army, and upon and subject to no other trusts or provisions whatsoever.

## **8 Powers of trustees**

The trustees shall be entitled at all times hereafter to exercise all the powers relating to the lands, tenements, and hereditaments and personal property hereby vested in them, and in respect of all lands, tenements, and hereditaments and personal property which may hereafter be acquired by them, or which may become vested in them under this Act, which are now exercisable by the general of the Salvation Army and the director of the social work of the Salvation Army for the time being, respectively, under the said recited deeds poll of 7 August 1878, 26 July 1904, and 1 June 1920, according as they shall and may hold the same upon one or the other of such trusts and may exercise such powers and all or any of the powers by this Act conferred upon them, notwithstanding there shall be for the time being any vacancy in the office of general of the Salvation Army or the office of director of the social work of the Salvation Army.

## **9 Trust property—how held**

- (1) All property held by the trustees shall, so far as the same is not subject to any express trust, be held and dealt with by them in accordance with and subject to the powers and provisions of

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the said recited deeds poll respectively, according to the trusts upon which the same shall respectively be held.

- (2) However, no person dealing with the trustees shall be bound to inquire into the propriety or necessity of any such dealing.

## **10 Power to mortgage**

- (1) It shall and may be lawful to and for the trustees from time to time, and at all times hereafter, to borrow moneys without security or to borrow moneys upon mortgage, and for that purpose if necessary to appoint, convey, and assure in fee or for any term of years, all or any lands hereby vested in them or all or any lands which may hereafter be or become vested in them to any person or persons, company, or corporation for securing such sum or sums of money as they may deem requisite or necessary for the purposes of the Salvation Army or the social work of the Salvation Army; and also to mortgage any land to secure the balance of purchase money owing thereon by the trustees.
- (2) However, any moneys raised on any land which shall for the time being be held upon trust for the social work of the Salvation Army shall only be used for the purposes of the said social work.

## **11 Power to sell**

It shall and may be lawful to and for the trustees from time to time, and at all times hereafter, to sell any real and personal estate now hereby vested in them, or which shall hereafter vest in them, by public auction or private contract as they may deem expedient, at such price as can be reasonably obtained for the same, and when sold convey the same or any part thereof and thereupon the same shall vest in the purchasers, their heirs, executors, administrators, or assigns according to the estate and interest of the trustees therein absolutely freed and discharged from the trusts affecting the same.

## **12 Receipts for mortgage and purchase moneys etc.**

The receipt in writing of a majority of the trustees, or of any person or persons authorised by such majority in writing to receive the same, for the mortgage moneys raised on any property mortgaged by the trustees, or for the purchase money of any property sold under this Act or for any moneys which shall be payable to them when exercising any of the powers hereby conferred upon them, or when exercising any of the powers for the time being vested in the general or the director of the social work, as the case may be, under and by virtue of the said recited deeds poll, shall exonerate the mortgagee or the purchaser or all other persons for the time being paying such moneys to the trustees, or the person or persons authorised as aforesaid from seeing to the application of the same, and from all liability as to the misapplication or nonapplication thereof, and from inquiring into the propriety or necessity of any mortgage or sale, lease, or other dealing whatsoever.

## **13 Proceeds of sale of land held for the social work**

The proceeds of the sale of any lands held for the purposes of the said social work shall be devoted to the purposes of the social work, and the trustees may for such purposes acquire therewith other lands and buildings for the purposes of such work.

## **14 Meetings of trustees, minutes etc.**

- (1) The trustees shall have power to regulate the time and place of their meetings and of the procedure to be followed thereat.
- (2) They shall hold regular meetings, and shall cause to be kept minutes of their proceedings, and their resolutions, which shall at all times be open for inspection by the general; and the trustees shall keep a register of all lands now or hereafter vested in them, and shall indicate in such register which lands are held for the general purposes of the Salvation Army, and which are held for the social work of the Salvation Army.

- (3) However, the trusts upon which any of the said lands for the time being are held may with the consent of the general be enlarged, modified, varied, or altered from time to time.
- (4) In addition, all such lands shall from time to time be held upon either one or the other of the trusts hereinbefore mentioned.

## **15 Removal of trustees**

The general may from time to time, by writing, remove any person from the office of trustee, and appoint another person to be a trustee in the place of the person so removed.

## **16 Power of continuing trustees to act**

- (1) The continuing trustees, provided there shall be not less than 3 trustees, shall be empowered to act notwithstanding there shall be a vacancy or vacancies in the number of trustees either by death, resignation, or removal, but each such vacancy shall be filled by the general as soon as practicable after such vacancy occurs.
- (2) However, whenever by reason of death, incapacity, or refusal to act in the trust, resignation, or removal from the trust, the number of trustees who are able or willing to act is reduced to less than 5, and the general does not within the space of 6 calendar months after the number of the trustees who are able or willing to act has by reason of death, incapacity, or refusal to act, resignation, or removal as aforesaid, been reduced to less than 5, fill up the vacancy or vacancies caused by such death, resignation, or removal or remove the trustee or trustees who are incapable or refuse to act in the trust, and appoint another person or persons to act as trustee or trustees in place of the trustee or trustees so removed, a judge of the Supreme Court shall have power, upon the application of the remaining trustee or trustees, to appoint another person or persons to be trustee or trustees in place of the trustee or trustees who has or have died, become incapable of acting, or refused to act, or has or have resigned or been removed from the trust, to act jointly with the remaining trustee or trustees.

## **17 Appointment of officers—evidence of resolutions**

The trustees may appoint officers of the trust, and the gazette containing a notification purporting to be signed by the general of the appointment of a secretary or other officer shall be prima facie evidence and in favour of the Crown and the registrar of titles and the chief executive of the department in which the *Land Act 1994* is administered and any department or authority, and every person who deals for value with the trustees, conclusive evidence of his, hers or their due appointment, and a certificate signed by the secretary for the time being of the trust as to who are the persons for the time being constituting the trustees, and a certificate of such secretary certifying to any resolution of the trustees, shall be prima facie evidence and in favour of the Crown and the registrar of titles and that chief executive and any department or authority, and every person who deals for value with the trustees, conclusive evidence as to who are the trustees for the time being, and of any such resolution as the case may be, and judicial notice shall be taken of the signature of the secretary for the time being of every such certificate.

## **18 Construction of wills etc.**

Whenever by any will, deed, or other instrument any property real or personal has been or shall be devised, bequeathed, given, granted, released, conveyed, or appointed, or has been or shall be declared or directed to be held in trust to or for the benefit of the Salvation Army, or of any fund, institution, branch, or corps thereof, or shall be or become recoverable by or payable to the Salvation Army, or by or to the said fund, institution, branch, or corps, or be receivable by or payable to any officer thereof for the benefit of the Salvation Army, or any of its funds, institutions, branches, or corps, or for its social work, the said will, deed, or instrument as aforesaid shall be construed and operate and take effect as though the trustees were named therein, and the acknowledgment or receipt of the trustees or a majority of them, or of any person or persons authorised in writing by the trustees or a majority of them for any such gift, shall be a sufficient discharge to the person or persons liable to deliver or transfer any such money

or property under such will, deed, or instrument, and all property real or personal so devised, bequeathed, given, granted, released, conveyed, or appointed, or declared or directed to be held upon trust as aforesaid shall, subject to the trusts of such will, deed, or other instrument, and subject to any direction to the contrary therein contained, so far as the same are capable of taking effect, be under the direction and control of the trustees, and they may call for the transfer, conveyance, or delivery thereof.

## **19 Vesting in trustees of property given or devised etc. for benefit of Salvation Army**

- (1) Whenever by any will, deed, or other instrument, or by any gift or disposition of property made before, but not taking effect until after the passing of this Act, or by any will or other instrument, or by any gift or other disposition of property made after the passing of this Act, any real or personal property has been or is devised, bequeathed, or given to or for the benefit of the Salvation Army, or to or for the benefit of any funds, corps, institution, branch, or auxiliary thereof, other than real or personal property devised, bequeathed, or given to specific trustees upon trust for the Salvation Army, or for any such fund, corps, institution, branch, or auxiliary thereof, all such real and personal property shall vest in the trustees incorporated under the authority of this Act.

### **How vested property held**

- (2) The trustees shall hold any such real and personal property upon the trusts (if any) declared in respect thereof, and if no such trusts have been declared shall hold and deal with such real and personal property and the proceeds thereof in trust for the Salvation Army for such purposes and in such manner as they may deem expedient, and may convey, transfer, or deliver any such real or personal property to such persons and upon such trusts as they think fit, and the trustees and any person to whom any such real or personal property is so conveyed, transferred, or delivered, may sell, lease, mortgage, or otherwise deal with any such real or personal property.

- (3) However, the receipt in writing of the trustees or a majority of them, or of any person or persons authorised in writing by the trustees or a majority of them, for any moneys receivable by them in the exercise of these powers, shall exonerate the person paying the same to them from seeing to the application thereof and all liability as to the misapplication or nonapplication thereof, and no person shall be bound to inquire into the validity of any sale, conveyance, lease, or mortgage as aforesaid.

## **20 Preservation of rights of claimants**

- (1) Nothing in this Act contained or that may be done under this Act shall be deemed prejudicially to affect or to deprive any person of any right whatsoever which the person now has arising out of contract or tort, and any such right which may at the time of the passing of this Act have been enforceable against the general or the general's predecessor in the office of general of the Salvation Army, and in respect of which right the property hereby vested was liable may be enforced against the trustees.
- (2) However, no such right shall be enforceable against the trustees or any of them personally.

## **21 Vesting of rights of the general in the trustees**

Any rights, including choses in action arising out of contract or tort relating in anywise to the real and personal property hereby vested in the trustees, which were at the time of his death in the said William Bramwell Booth or at the time of the passing of this Act are in the general, are hereby vested in the trustees and may be enforced by them.

## **22 Duty of registrar of titles**

The registrar of titles shall, at the written request of the trustees, register the trustees as proprietors of the lands vested in them or to which they are or may be entitled by virtue of this Act, and for that purpose may make every entry,

cancellation, and correction in the registers as shall to the registrar of titles appear necessary and proper.

**23 Chief executives' duties**

The chief executives of the departments in which the *Land Act 1994* and the *Mineral Resources Act 1989* are administered shall respectively, at the written request of the trustees, register or cause the trustees to be registered in respect of the interests in any land which is vested in them, or to which they are or may be entitled by virtue of this Act, and for that purpose may respectively make every entry, cancellation, and correction in the registers as shall to them appear necessary and proper.

**24 Duty of the Gas Corporation of Queensland Limited and every other company to cause trustees to be registered in respect of shares**

The Gas Corporation of Queensland Limited and every other company shall respectively, at the written request of the trustees, register or cause the trustees to be registered in respect of any shares which are vested in the trustees or to which they are or may be entitled by virtue of this Act, and for that purpose may respectively make every entry, cancellation, and correction in the registers of shares as shall to the Gas Corporation of Queensland Limited and every other company concerned appear necessary and proper.

## 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). Accordingly, this reprint includes all amendments that commenced operation on or before 15 December 1995. Future amendments of the Salvation Army (Queensland) Property Trust Act 1930 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	1995 Act No. 58	28 November 1995	15 December 1995

### 5 List of legislation

#### Salvation Army (Queensland) Property Trust Act 1930 21 Geo 5

date of assent 24 December 1930

commenced on date of assent

amending legislation—

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

date of assent 28 November 1995

commenced on date of assent

## 6 List of annotations

### Vesting of property in trustees

s 7 amd 1995 No. 58 s 4 sch 1

### Appointment of officers—evidence of resolutions

s 17 amd 1995 No. 58 s 4 sch 1

### Chief executives' duties

prov hdg sub 1995 No. 58 s 4 sch 1

s 23 amd 1995 No. 58 s 4 sch 1

### Duty of the Gas Corporation of Queensland Limited and every other company to cause trustees to be registered in respect of shares

prov hdg amd 1995 No. 58 s 4 sch 1

s 24 amd 1995 No. 58 s 4 sch 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
references to gazette	Acts Interpretation Act 1954 s 36 def “gazette”
references to Queensland implied	Acts Interpretation Act 1954 s 35

## 8 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
6, 1st sentence . . . . .	6(1)
6, proviso . . . . .	6(2)
9, 1st sentence . . . . .	9(1)
9, proviso . . . . .	9(2)
10, 1st sentence . . . . .	10(1)
10, proviso . . . . .	10(2)
14, 1st sentence . . . . .	14(1)
14, 2nd sentence . . . . .	14(2)
14, 1st proviso . . . . .	14(3)
14, 2nd proviso . . . . .	14(4)

Previous	Renumbered as
16, 1st sentence . . . . .	16(1)
16, proviso . . . . .	16(2)
19(2), proviso . . . . .	19(3)
20, 1st sentence . . . . .	20(1)
20, proviso . . . . .	20(2)

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