

Queensland



EAGLE FARM RACECOURSE ACT 1993

**Reprinted as in force on 20 February 1997
(includes amendments up to Act No. 54 of 1996)**

Warning—see last endnote for uncommenced amendments

Reprint No. 1A

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

Information about this reprint

This Act is reprinted as at 20 February 1997. 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.

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

Also see endnotes for information about—

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint**
- **editorial changes made in earlier reprints.**

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EAGLE FARM RACECOURSE ACT 1993

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EAGLE FARM RACECOURSE ACT 1993

[as amended by all amendments that commenced on or before 20 February 1997]

An Act to consolidate and amend the law for the management and development of Eagle Farm racecourse, and for related purposes

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Eagle Farm Racecourse Act 1993*.

Commencement

2. This Act commences on a day to be fixed by proclamation.

Definitions

3. In this Act—

“**club**” means the race club registered under the *Racing and Betting Act 1980* under the name ‘Queensland Turf Club’;

“**develop**” includes construct, improve and replace;

“**official name**” of the trustees means ‘Trustees of Eagle Farm Racecourse’;

“**racing venue land**” means the part of the trust land prescribed by regulation to be racing venue land;

“**trustee**” means a person who is appointed under this Act as a trustee;

“**trust land**” means the land prescribed by regulation to be trust land;

“**trust property**” means—

- (a) the property held by the trustees on trust under the *Eagle Farm Racecourse Act 1955* immediately before the commencement of section 12; and
- (b) property acquired by the trustees under this Act, but does not include property sold or otherwise disposed of by the trustees under this Act.

PART 2—THE TRUSTEES

Appointment

4.(1) The Governor in Council may appoint a person (other than a member of the management committee of the club) to be a trustee.

(2) However, the number of trustees at any time must be either 3 or 4.

Duration of appointment

5. The appointment of a trustee is for the term (not longer than 3 years) specified in the trustee's instrument of appointment.

Conditions of appointment

6. A trustee holds office on the conditions not provided in this Act decided by the Governor in Council.

Termination of appointment

7.(1) The Governor in Council may, at any time, terminate the appointment of all or any trustees for any reason or none.

(2) Without limiting subsection (1), the Governor in Council may terminate the appointment of a trustee if the trustee becomes a member of the management committee of the club.

Powers

8.(1) The trustees may, in their official name—

- (a) sell or otherwise dispose of trust land; or
- (b) mortgage trust land; or
- (c) lease trust land (other than the racing venue land); or
- (d) accept grants or gifts of property; or
- (e) acquire or develop land.

(2) However, the trustees may exercise a power under subsection (1) only with the written agreement of the Minister.

(3) The Minister may impose conditions on the agreement.

(4) The trustees must comply with the conditions.

Exercise of powers not affected because of vacancy

9. Despite section 4(2), the exercise of a power by the trustees is not affected merely because of vacancies in offices of trustee.

Trustees may sue and be sued

10. The trustees may sue and be sued in their official name.

Right of access to racing venue land

11. The trustees have a right of access to the racing venue land at all times free of any charge.

PART 3—TRUST PROPERTY**Vesting of trust property**

12. The trust property vests in the trustees in their official name.

Declaration of trust

13. The trustees hold trust property on trust for the members for the time being of the club—

- (a) so far as the property relates to the trust land—to be used as a racecourse and for other purposes approved by the Minister; and
- (b) so far as the property relates to other trust property—to be used in connection with the purposes mentioned in paragraph (a).

PART 4—THE CLUB**Right to use and occupy racing venue land**

14. The club has the right to use and occupy the racing venue land.

Liability

15. A liability arising out of the club's use or occupation of the racing venue land that would, apart from this section, attach to the trustees attaches instead to the club.

Management and development of racing venue land

16.(1) The club is to manage the racing venue land.

(2) The club must not develop the racing venue land without the trustees' written agreement.

Trustees to agree to club's applications for certain advances

17. The club may make an application under the *Racing and Betting Act 1980* for an advance from the Racing Development Fund to develop the racing venue land only with the trustees' written agreement.

PART 5—MISCELLANEOUS

Application of Financial Administration and Audit Act

18. The trustees are a statutory body under the *Financial Administration and Audit Act 1977*.

Registrar to record vesting of trust land

19. The Registrar of Titles is to record in the appropriate register the vesting of the trust land in the trustees in their official name.

Regulations

20. The Governor in Council may make regulations for the purposes of this Act.

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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 20 February 1997. Future amendments of the Eagle Farm Racecourse Act 1993 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

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

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes an arabic letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	17 December 1993

5 List of legislation

Eagle Farm Racecourse Act 1993 No. 54

date of assent 25 October 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 17 December 1993 (see s 2)

as amended by—

Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions not yet proclaimed into force

6 List of annotations

Declaration that trustees are statutory body for the Statutory Bodies Financial Arrangements Act 1982

s 18A ins 1996 No. 54 s 9 sch

PART 6—TRANSITIONAL AND REPEALS

pt 6 (ss 21–23) exp 17 December 1993 (see s 23)

7 Provisions that have not commenced and are not incorporated into reprint

The following provisions are not incorporated in this reprint because they had not commenced before the reprint date (see Reprints Act 1992, s 5(c)).

Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 s 9 sch amdt 1 reads as follows—

1. After section 18—

insert—

‘Declaration that trustees are statutory body for the Statutory Bodies Financial Arrangements Act 1982

‘18A.(1) The trustees, in their official name, are a statutory body for the *Statutory Bodies Financial Arrangements Act 1982*.

‘(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the trustees’ powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.’.