

Queensland



EAGLE FARM RACECOURSE ACT 1993

**Reprinted as in force on 17 December 1993
(Act not amended up to this date)**

Reprint No. 1

**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 17 December 1993.

The opportunity has been taken, under section 7 of the Reprints Act 1992, to omit provisions that are no longer required as permitted by section 37 of that Act.

See Endnotes for—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



EAGLE FARM RACECOURSE ACT 1993

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EAGLE FARM RACECOURSE ACT 1993

[reprinted as in force on 17 December 1993²]

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*³⁻⁴.

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 section 5(c) of the Reprints Act 1992. However, no amendments have commenced operation on or before that day. Future amendments of the Eagle Farm Racecourse Act 1993 may be made in accordance with this reprint under section 49 of the Reprints Act 1992.

3 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)

Note—Pt 6 expired 17 December 1993 (see s 23)

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Chap	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

PART 6—TRANSITIONAL AND REPEALS

Pt 6 om (see s 37 RA)