

Queensland



QUEENSLAND TEMPERANCE LEAGUE LANDS ACT 1985

**Reprinted as in force on 25 January 1996
(includes amendments up to Act No. 32 of 1993)**

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 25 January 1996. 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.

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

- 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 (ss 39 and 40)
- omit the enacting words (s 42A).

Also see endnotes for information about—

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

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QUEENSLAND TEMPERANCE LEAGUE LANDS ACT 1985

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Queensland Temperance League Lands Act
1985

QUEENSLAND TEMPERANCE LEAGUE LANDS ACT 1985

[as amended by all amendments that commenced on or before 25 January 1996]

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

Short title

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

Interpretation

2. 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.

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Vesting of lands free from trusts

3.(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.

Power of league to deal with lands

4.(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).

Application of proceeds of sale

6. 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.

League to own real property to minimum value

7.(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.

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League may vary real property

8. 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.

Minister entitled to financial information

9. 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 *Companies (Queensland) Code*, 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 1 540.275 m² more or less, contained in certificate of title volume 1 799 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 809 m² more or less, contained in certificate of title volume 5 053 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 25 January 1996. 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.

*Queensland Temperance League Lands Act
1985*

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 List of legislation

Queensland Temperance League Lands Act 1985

date of assent 5 September 1985

commenced on date of assent

as amended by—

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

5 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)

6 Table of obsolete and redundant provisions

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