

Queensland



RACING LEGISLATION AMENDMENT ACT 1998

Act No. 18 of 1998

Queensland



RACING LEGISLATION AMENDMENT ACT 1998

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	6
2	Commencement	6
PART 2—AMENDMENT OF RACING AND BETTING ACT 1980		
3	Act amended in pt 2	6
4	Amendment of title	6
5	Amendment of s 5 (Interpretation)	6
6	Amendment of s 6 (Duty of commissioner to collect imposts and make payments)	9
7	Amendment of s 8 (Officers)	9
8	Amendment of s 11A (Functions of Queensland Principal Club)	9
9	Amendment of s 11B (Powers of Queensland Principal Club)	9
10	Amendment of s 14 (Finance)	10
11	Amendment of s 18 (Dissolution of race club)	10
12	Replacement of s 24 (Time at which a race meeting is taken to commence)	10
	24 Time race meeting taken to commence	10
13	Amendment of s 25 (Postponement of whole or part of race meeting)	10
14	Amendment of s 27 (Betting to continue at postponed or abandoned meeting)	11
15	Amendment of s 28 (Phantom meeting may be held in certain circumstances)	11
16	Amendment of s 52 (Functions, powers and duties of Harness Racing Board)	11
17	Amendment of s 54 (Finance)	12

18	Amendment of s 58 (Dissolution of trotting club)	12
19	Replacement of s 64 (Time at which a trotting meeting is deemed to commence)	13
	64 Time trotting meeting taken to commence	13
20	Amendment of s 65 (Postponement of whole or part of a trotting meeting)	13
21	Amendment of s 67 (Betting to continue at postponed or abandoned meeting)	13
22	Amendment of s 68 (Phantom meeting may be held in certain circumstances)	14
23	Amendment of s 93 (Functions, powers and duties of Greyhound Authority)	14
24	Amendment of s 95 (Finance)	15
25	Amendment of s 99 (Dissolution of greyhound club)	15
26	Replacement of s 105 (Time at which a greyhound meeting is deemed to commence)	15
	105 Time greyhound meeting taken to commence	15
27	Amendment of s 106 (Postponement of whole or part of a greyhound meeting)	16
28	Amendment of s 108 (Betting to continue at postponed or abandoned meeting)	16
29	Amendment of s 109 (Phantom meeting may be held in certain circumstances)	16
30	Omission of pt 3, divs 3AA and 4	17
31	Amendment of s 128 (Restrictions as to meetings on Anzac Day)	17
32	Amendment of s 134 (Application of receipts and the like of club)	17
33	Omission of pt 5 heading (Regulation of totalisators)	17
34	Omission of pt 5, div 1 heading (The Totalisator Administration Board of Queensland)	17
35	Omission of s 175 (Constitution of Totalisator Administration Board of Queensland)	18
36	Omission of ss 176–212	18
37	Amendment of s 213 (Application of this part and saving)	18
38	Insertion of new s 222A	18
	222A Offences about totalisators	18
39	Amendment of s 230 (Forgery and like offences)	19

40	Amendment of s 257 (Regulations)	19
41	Insertion of division heading	20
	<i>Division 1—Principal clubs</i>	
42	Replacement of s 260 (References to Racing Industry Advisory Committee)	20
	<i>Division 2—Racing Development Corporation</i>	
258	Definition	20
259	Dissolution of the Racing Development Corporation	20
260	State is successor in law of corporation	20
261	Corporation’s assets and liabilities	21
262	Pending legal proceedings by or against corporation	21
263	Instruments	21
264	State’s power to vary the lease	22
265	Effect of things done under this division	22
	<i>Division 3—Racing Development Fund</i>	
266	Definitions	23
267	Abolition of fund	23
268	Approved payments	23
	<i>Division 4—Racing Industry Coordinating Committee</i>	
269	Definitions	23
270	Dissolution of committee	24
271	Allocated meetings	24
	<i>Division 5—Agreements</i>	
272	Agreements under s 195	24
	<i>Division 6—Expiry</i>	
273	Expiry of divs 2–6	25
43	Omission of sch 2	25
	PART 3—AMENDMENT OF RACING VENUES DEVELOPMENT ACT 1982	
44	Act amended in pt 3	25
45	Amendment of s 3 (Definitions)	25
46	Amendment of s 4 (Trustees of land acquired by corporation)	25
47	Amendment of s 6 (Vacation of office)	26

48	Amendment of s 10 (Register)	26
49	Amendment of s 14 (Rules)	27
50	Amendment of s 19 (Easements affecting land granted in trust)	27
51	Amendment of s 20 (Power to lease)	27
52	Amendment of s 22 (Corporation's approval to be endorsed on lease)	27
53	Amendment of s 23 (Dealing with leases)	28
54	Amendment of s 24 (Power to execute and register documents)	28
55	Amendment of s 25 (Cancellation of leases by corporation)	29
56	Amendment of s 26 (Revocation of appointment of trustees)	29
57	Amendment of s 28 (Occupation or use contrary to trust)	29
58	Amendment of s 29 (Mortgage of land)	29
59	Amendment of s 31 (Application of moneys received)	31
60	Omission of s 33 (Tenders called prior to appointment of trustees)	31

Queensland



Racing Legislation Amendment Act 1998

Act No. 18 of 1998

An Act to amend the *Racing and Betting Act 1980* and the *Racing Venues Development Act 1982*

[Assented to 26 March 1998]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Racing Legislation Amendment Act 1998*.

Commencement

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

PART 2—AMENDMENT OF RACING AND BETTING ACT 1980

Act amended in pt 2

3. This part amends the *Racing and Betting Act 1980*.

Amendment of title

4. Title, ‘totalisators,’—
omit.

Amendment of s 5 (Interpretation)

- 5.(1) Section 5, heading—
omit, insert—

‘Definitions’.

- (2) Section 5, definition “**investment**”, “**net pool**”, “**operating week**”, “**operator**”, “**primary totalisator**”, “**refund**”, “**rules of the totalisator**”

board”, “surplus moneys”, “tabanza totalisator”, “totalisator”, “totalisator board”, “totalisator pool”, “transmit”, “unit of investment” and “unpaid moneys from sports totalisators”—

omit.

(3) Section 5—

insert—

‘ **“animal racing”** means racing, trotting and greyhound racing.

“refund” means a bet made with a bookmaker and required to be refunded.

“related body corporate” see the Corporations Law, section 9.¹

¹ The Corporations Law, section 9, definition **“related body corporate”** and section 50 read as follows—

‘ **“related body corporate”**, in relation to a body corporate, means a body corporate that is related to the first-mentioned body corporate by virtue of section 50.’.

‘Related bodies corporate

50. Where a body corporate is:

- (a) a holding company of another body corporate;
- (b) a subsidiary of another body corporate;
- (c) a subsidiary of a holding company of another body corporate;

the first-mentioned body and the other body are related to each other.’.

“**totalisator**” see the *Wagering Act 1998*, section 8.2

“**wagering**” see the *Wagering Act 1998*, schedule 2.3

“**wagering licensee**” see the *Wagering Act 1998*, schedule 2.4⁷.

² The *Wagering Act 1998*, section 8 reads as follows—

‘Meaning of “totalisator”

8.(1) A “**totalisator**” is a system used—

- (a) to enable persons to invest money on events or contingencies with a view to successfully predicting specified outcomes of the events or contingencies; and
- (b) to enable the totalisator pool to be divided and distributed among the persons who successfully predict the outcomes.

(2) A “**totalisator**” also includes an instrument, machine or device under which the system mentioned in subsection (1) is operated.

(3) In subsection (1)(b), a reference to the totalisator pool is a reference to the amount left from the investments after—

- (a) making allowances for refunds of investments; and
- (b) deducting any amount payable by way of commission for the conduct of the totalisator.’.

³ The *Wagering Act 1998*, schedule 2, definition “**wagering**” reads as follows—

“**wagering**” means—

- (a) betting conducted by means of a totalisator; or
- (b) betting conducted on a fixed odds basis; or
- (c) other betting prescribed under a regulation’.

⁴ The *Wagering Act 1998*, schedule 2, definition “**wagering licensee**” reads as follows—

“**wagering licensee**” means a person who holds a wagering licence.’.

Amendment of s 6 (Duty of commissioner to collect imposts and make payments)

6. Section 6, ‘and all refunds, unpaid dividends, unpaid fractions and surplus moneys’—

omit.

Amendment of s 8 (Officers)

7. Section 8(1), ‘an inspector of totalisators and’—

omit.

Amendment of s 11A (Functions of Queensland Principal Club)

8. Section 11A(1)(a)—

omit, insert—

- ‘(a) to encourage racing; and
- (ab) to control, supervise and regulate racing; and’.

Amendment of s 11B (Powers of Queensland Principal Club)

9.(1) Section 11B(2)—

insert—

~~(with)~~ the other control bodies, establish, take part in establishing, or cause to be established, a corporation whose functions include—

- (i) encouraging animal racing; and
- (ii) coordinating meetings approved under this Act by the various control bodies or their nominees; and
- (iii) entering into arrangements with—
 - (A) a wagering licensee about wagering or another activity conducted by the licensee; or
 - (B) a related body corporate of a wagering licensee about an activity conducted by the related body corporate; and’.

(2) Section 11B—

insert—

‘(3) A direction under subsection (2)(r) may be about a race club—

- (a) establishing, or taking part in establishing, a corporation of a kind mentioned in subsection (2)(wa); or
- (b) taking part in an arrangement of a kind mentioned in subsection (2)(wa)(iii).’.

Amendment of s 14 (Finance)

10. Section 14(4)—

omit.

Amendment of s 18 (Dissolution of race club)

11. Section 18(5)(c)—

omit.

Replacement of s 24 (Time at which a race meeting is taken to commence)

12. Section 24—

omit, insert—

‘Time race meeting taken to commence

‘24. A race meeting is taken to commence at the time betting with bookmakers commences under the direction or authority of the steward in control of the meeting.’.

Amendment of s 25 (Postponement of whole or part of race meeting)

13. Section 25(1), from ‘Racing Industry Coordinating Committee’—

omit, insert—

‘Queensland Principal Club, or its nominee, approves.’.

Amendment of s 27 (Betting to continue at postponed or abandoned meeting)

14.(1) Section 27(1) and (2), ‘deemed’—

omit, insert—

‘taken’.

(2) Section 27(1) and (2), ‘or investment on a totalisator’—

omit.

(3) Section 27(2), ‘betting or investment’—

omit, insert—

‘betting’.

Amendment of s 28 (Phantom meeting may be held in certain circumstances)

15.(1) Section 28(1)—

omit, insert—

‘**28.(1)** Subsection (1A) applies if, before the start of a race meeting allotted by the Queensland Principal Club or its nominee, a race club postpones or abandons the race meeting.

‘**(1A)** The race club may, with the approval of the Queensland Principal Club or its nominee, hold a phantom meeting.’.

(2) Section 28(3), ‘and investment on a totalisator’—

omit.

Amendment of s 52 (Functions, powers and duties of Harness Racing Board)

16.(1) Section 52(2)(a)—

omit, insert—

‘(a) to encourage trotting; and

(ab) to control, supervise and regulate trotting; and’.

(2) Section 52(3)—*insert—*

‘(ya) with the other control bodies, establish, take part in establishing, or cause to be established, a corporation whose functions include—

- (i) encouraging animal racing; and
- (ii) coordinating meetings approved under this Act by the various control bodies or their nominees; and
- (iii) entering into arrangements with—
 - (A) a wagering licensee about wagering or another activity conducted by the licensee; or
 - (B) a related body corporate of a wagering licensee about an activity conducted by the related body corporate;’.

(3) Section 52—*insert—*

‘**(3A)** A direction under subsection (3)(t) may be about a trotting club—

- (a) establishing, or taking part in establishing, a corporation of a kind mentioned in subsection (3)(ya); or
- (b) taking part in an arrangement of a kind mentioned in subsection (3)(ya)(iii).’.

Amendment of s 54 (Finance)**17. Section 54(4)—***omit.***Amendment of s 58 (Dissolution of trotting club)****18. Section 58(5)(c)—***omit.*

Replacement of s 64 (Time at which a trotting meeting is deemed to commence)

19. Section 64—

omit, insert—

‘Time trotting meeting taken to commence

‘64. A trotting meeting is taken to commence at the time betting with bookmakers commences under the direction or authority of the steward in control of the meeting.’.

Amendment of s 65 (Postponement of whole or part of a trotting meeting)

20. Section 65(1), from ‘Racing Industry Coordinating Committee’—

omit, insert—

‘Harness Racing Board, or its nominee, approves.’.

Amendment of s 67 (Betting to continue at postponed or abandoned meeting)

21.(1) Section 67(1) and (2), ‘deemed’—

omit, insert—

‘taken’.

(2) Section 67(1) and (2), ‘or investment on a totalisator’—

omit.

(3) Section 67(2), ‘betting or investment’—

omit, insert—

‘betting’.

Amendment of s 68 (Phantom meeting may be held in certain circumstances)

22.(1) Section 68(1)—

omit, insert—

‘**68.(1)** Subsection (1A) applies if, before the start of a trotting meeting allotted by the Harness Racing Board or its nominee, a trotting club postpones or abandons the trotting meeting.

‘**(1A)** The trotting club may, with the approval of the Harness Racing Board or its nominee, hold a phantom meeting.’.

(2) Section 68(3), ‘and investment on a totalisator’—

omit.

Amendment of s 93 (Functions, powers and duties of Greyhound Authority)

23.(1) Section 93(2)(a)—

omit, insert—

‘(a) to encourage greyhound racing; and

(ab) to control, supervise and regulate greyhound racing; and’.

(2) Section 93(3)—

insert—

‘(ya) with the other control bodies, establish, take part in establishing, or cause to be established, a corporation whose functions include—

(i) encouraging animal racing; and

(ii) coordinating meetings approved under this Act by the various control bodies or their nominees; and

(iii) entering into arrangements with—

(A) a wagering licensee about wagering or another activity conducted by the licensee; or

(B) a related body corporate of a wagering licensee about an activity conducted by the related body corporate;’.

(3) Section 93—

insert—

‘**(3A)** A direction under subsection (3)(t) may be about a greyhound club—

- (a) establishing, or taking part in establishing, a corporation of a kind mentioned in subsection (3)(ya); or
- (b) taking part in an arrangement of a kind mentioned in subsection (2)(ya)(iii).’.

Amendment of s 95 (Finance)

24. Section 95(4)—

omit.

Amendment of s 99 (Dissolution of greyhound club)

25. Section 99(5)(c)—

omit.

Replacement of s 105 (Time at which a greyhound meeting is deemed to commence)

26. Section 105—

omit, insert—

‘Time greyhound meeting taken to commence

‘**105.** A greyhound meeting is taken to commence at the time betting with bookmakers commences under the direction or authority of the steward in control of the meeting.’.

Amendment of s 106 (Postponement of whole or part of a greyhound meeting)

27. Section 106(1), from ‘Racing Industry Coordinating Committee’—
omit, insert—
‘Greyhound Authority, or its nominee, approves.’.

Amendment of s 108 (Betting to continue at postponed or abandoned meeting)

28.(1) Section 108(1) and (2), ‘deemed’—
omit, insert—
‘taken’.

(2) Section 108(1) and (2), ‘or investment on a totalisator’—
omit.

(3) Section 108(2), ‘betting or investment’—
omit, insert—
‘betting’.

Amendment of s 109 (Phantom meeting may be held in certain circumstances)

29.(1) Section 109(1)—
omit, insert—

‘109.(1) Subsection (1A) applies if, before the start of a greyhound meeting allotted by the Greyhound Authority or its nominee, a greyhound club postpones or abandons the greyhound meeting.

‘(1A) The greyhound club may, with the approval of the Greyhound Authority or its nominee, hold a phantom meeting.’.

(2) Section 109(3), ‘and investment on a totalisator’—
omit.

Omission of pt 3, divs 3AA and 4

30. Part 3, divisions 3AA and 4—

omit.

Amendment of s 128 (Restrictions as to meetings on Anzac Day)

31. Section 128(2), ‘or investment on a totalisator’—

omit.

Amendment of s 134 (Application of receipts and the like of club)

32. Section 134(2)—

omit, insert—

‘(2) A club must apply its receipts and profits—

- (a) for a race club—for encouraging racing in Queensland; and
- (b) for a trotting club—for encouraging trotting in Queensland; and
- (c) for a greyhound club—for encouraging greyhound racing in Queensland; and
- (d) with the approval of the Minister—for a charitable, benevolent, patriotic or special purpose.’.

Omission of pt 5 heading (Regulation of totalisators)

33. Part 5, heading—

omit.

Omission of pt 5, div 1 heading (The Totalisator Administration Board of Queensland)

34. Part 5, division 1, heading—

omit.

Omission of s 175 (Constitution of Totalisator Administration Board of Queensland)

35. Section 175—

omit.

Omission of ss 176–212

36. Sections 176 to 212—

omit.

Amendment of s 213 (Application of this part and saving)

37.(1) Section 213(1)(a)—

omit, insert—

‘(a) wagering lawfully conducted under the *Wagering Act 1998*; or’

(2) Section 213(2)—

insert—

‘(ea)the *Wagering Act 1998*; or’.

Insertion of new s 222A

38. Part 6, after section 222—

insert—

‘Offences about totalisators

‘222A. A person must not—

- (a) operate, or take part in operating, a totalisator other than under the *Wagering Act 1998*; or
- (b) bet on a totalisator other than under the *Wagering Act 1998*; or
- (c) ask to be another person’s agent for betting on a totalisator; or
- (d) act as agent of another person (the “**second person**”) for betting on a totalisator if that person and the second person agree, expressly or impliedly, that the person acting as agent will receive

consideration from the second person.

Maximum penalty—80 penalty units or 6 months imprisonment.’

Amendment of s 230 (Forgery and like offences)

39.(1) Section 230(1)(a) and (b), ‘or totalisator ticket’—

omit.

(2) Section 230(1)(d)—

omit.

(3) Section 230(1)(e), ‘, (c) or (d)’—

omit, insert—

‘or (c)’.

Amendment of s 257 (Regulations)

40.(1) Section 257(2)(a), ‘inspectors of totalisators,’—

omit.

(2) Section 257(2)(c) to (i) and (m)—

omit.

(3) Section 257(2)(p)—

omit, insert—

‘(p) the regulation and control of the conveyance or communication by any means of information concerning the betting, or betting odds, on any event or contingency relating to a race; and’.

(4) Section 257(2)(w)—

omit.

(5) Section 257(3)—

omit.

Insertion of division heading

41. Before section 257A—

insert—

‘Division 1—Principal clubs’.

Replacement of s 260 (References to Racing Industry Advisory Committee)

42. Section 260—

omit, insert—

‘Division 2—Racing Development Corporation

‘Definition

‘258. In this division—

“**corporation**” means the Racing Development Corporation established under this Act as in force from time to time before the commencement of the *Racing Legislation Amendment Act 1998*, section 30.

“**lease**” means the lease, the term of which started on 4 January 1994, granted by the corporation to the lessee under the repealed *Willows Sports Complex Act 1993* over property described as lot 2 on RP 740697, and situated in the county of Elphinstone, parish of Coonambelah.

“**lessee**” means the Willow Sports Complex Joint Board.

‘Dissolution of the Racing Development Corporation

‘259. The corporation is dissolved.

‘State is successor in law of corporation

‘260.(1) The State is the successor in law of the corporation.

‘(2) The following provisions of this division do not limit subsection (1).

‘Corporation’s assets and liabilities

‘**261.(1)** The corporation’s assets become the State’s assets.

‘**(2)** The corporation’s liabilities are assumed by the State.

‘**(3)** In this section—

“**assets**” of the corporation include the corporation’s interest in the lease.

‘Pending legal proceedings by or against corporation

‘**262.** A legal proceeding by or against the corporation that is not finalised before the commencement of this section may be continued or finished by or against the State.

‘Instruments

‘**263.(1)** This section applies to an instrument (including a statutory instrument) in existence immediately before the commencement of this division.

‘**(2)** An instrument applying to the corporation is to apply to the State in place of the corporation.

‘**(3)** Without limiting subsection (2), the following provisions apply—

- (a) an instrument to which, immediately before the commencement of this division, the corporation is a party is taken to be an instrument to which the State is a party;
- (b) an instrument given to, by or in favour of the corporation is taken to be an instrument given to, by or in favour of the State;
- (c) an instrument in which a reference is made to the corporation (including, for example, an instrument to which the corporation is a party) is taken to be an instrument in which the reference is made to the State;
- (d) an instrument under which money is or may become payable, or other property is to be, or may become liable to be, transferred, conveyed or assigned to or by the corporation is taken to be an instrument under which the money is or may become payable, or

other property is to be, or may become liable to be transferred, conveyed or assigned to or by the State.

‘State’s power to vary the lease

‘**264.(1)** This section applies to the lease.

‘**(2)** After the commencement of this division the State may, if asked by the lessee, vary the term of the lease to not more than 50 years.

‘**(3)** A request by the lessee under subsection (2) must be made to the Minister.

‘**(4)** The State’s power under subsection (2) must be exercised by the Minister on the State’s behalf.

‘Effect of things done under this division

‘**265.(1)** Nothing done under this division—

- (a) places the corporation or the State in breach of a contract or confidence or otherwise makes it guilty of a civil wrong; or
- (b) makes the corporation or the State in breach of any instrument, including an instrument prohibiting, restricting or regulating the assignment or transfer of any right or liability or the disclosure of any information; or
- (c) is taken to fulfil a condition—
 - (i) that allows a person to terminate an instrument or obligation or modify the operation or effect of an instrument or obligation; or
 - (ii) that requires any money to be paid before its stated maturity; or
- (d) releases a surety or other obligee (in whole or in part) from an obligation.

‘**(2)** If the advice or consent of a person would be necessary under an instrument to give effect to this division, the advice is taken to have been obtained or the consent is taken to have been given.

Division 3—Racing Development Fund**‘Definitions**

‘266. In this division—

“**fund**” means the Racing Development Fund established under this Act as in force from time to time before the commencement of the *Racing Legislation Amendment Act 1998*, section 30.

‘Abolition of fund

‘267. The fund is abolished.

‘Approved payments

‘268.(1) This section sets out how the amount standing to credit in the fund immediately before the commencement of section 267 is to be dealt with.

‘(2) Subsection (3) applies if, before the commencement of section 267—

- (a) the Governor in Council approved advances payable, but not paid, out of the fund; or
- (b) costs and expenses of administering this Act were incurred and payable, but not paid, out of the fund.

‘(3) The State must pay out of the amount—

- (a) the approved advances; and
- (b) the costs and expenses.

‘(4) The balance must be paid as provided under a regulation.

Division 4—Racing Industry Coordinating Committee**‘Definitions**

‘269. In this division—

“**committee**” means the Racing Industry Coordinating Committee established under this Act as in force from time to time before the commencement of the *Racing Legislation Amendment Act 1998*, section 30.

‘Dissolution of committee

‘**270.** The committee is dissolved and the members of the committee go out of office.

‘Allocated meetings

‘**271.(1)** This section applies if, before the commencement of this division, the committee has allotted the days and times when, the places where, and the conditions on which, a club may hold meetings.

‘**(2)** A meeting allotted by the committee—

- (a) if a race meeting—is taken to have been allotted by the Queensland Principal Club or its nominee;
- (b) if a trotting meeting—is take to have been allotted by the Harness Racing Board or its nominee; and
- (c) if a greyhound meeting—is taken to have been allotted by the Greyhound Authority or its nominee.

‘Division 5—Agreements

‘Agreements under s 195

‘**272.** A contractual relationship approved by the Minister under section 195 of this Act before the commencement of this section is not affected merely because of the commencement of the *Racing Legislation Amendment Act 1998*.

Division 6—Expiry**‘Expiry of divs 2–6**

‘**273.** Divisions 2 to 5 and this division expire 2 years after this division commences.’.

Omission of sch 2

43. Schedule 2—

omit.

**PART 3—AMENDMENT OF RACING VENUES
DEVELOPMENT ACT 1982****Act amended in pt 3**

44. This part amends the *Racing Venues Development Act 1982*.

Amendment of s 3 (Definitions)

45. Section 3, definitions “**corporation**” and “**fund**”—

omit.

Amendment of s 4 (Trustees of land acquired by corporation)

46.(1) Section 4, heading—

omit, insert—

‘Appointment of trustees’.

(2) Section 4(1)—

omit, insert—

‘**4.(1)** This section applies to land held by the State.’

‘(1A) This section is subject to another Act providing for the purpose for which land may be used.

‘(1B) The Governor in Council may appoint trustees to control land for establishing, extending or developing the land as a racing venue, or for another purpose connected with racing decided by the Governor in Council.’.

Amendment of s 6 (Vacation of office)

47. Section 6(c), ‘corporation’—

omit, insert—

‘Minister’.

Amendment of s 10 (Register)

48.(1) Section 10(1), ‘corporation’—

omit, insert—

‘chief executive’.

(2) Section 10(4), ‘corporation’—

omit, insert—

‘department at Brisbane’.

(3) Section 10(6)(a), ‘the corporation or’—

omit.

(4) Section 10(6)(a), ‘corporation in that behalf,’—

omit, insert—

‘chief executive for the purpose’.

(5) Section 10(6)(b), ‘the corporation or’—

omit.

(6) Section 10(6)(b), ‘corporation in that behalf’—

omit, insert—

‘chief executive for the purpose’.

Amendment of s 14 (Rules)

49. Section 14(2)—

omit, insert—

‘(2) A rule made by trustees must be signed by them.’

Amendment of s 19 (Easements affecting land granted in trust)

50. Section 19, ‘corporation’—

omit, insert—

‘Minister’.

Amendment of s 20 (Power to lease)

51.(1) Section 20(1), from ‘the approval’—

omit, insert—

‘first obtaining the written approval of the Minister.’

(2) Section 20(2), ‘corporation’—

omit, insert—

‘Minister’.

(3) Section 20(4), from ‘The corporation’ to ‘lease is’—

omit, insert—

‘The Minister may refuse to approve the application or, if the Minister is satisfied that the proposed lease is’.

(4) Section 20(4), ‘it’—

omit, insert—

‘the Minister’.

Amendment of s 22 (Corporation’s approval to be endorsed on lease)

52.(1) Section 22, heading—

omit, insert—

‘Minister’s approval to be endorsed on lease’.

(2) Section 22(1), ‘corporation’—

omit, insert—

‘Minister’.

(3) Section 22(1), ‘its’—

omit, insert—

‘the Minister’s’.

(4) Section 22(1A), ‘corporation’—

omit, insert—

‘Minister’.

(5) Section 22(2), ‘corporation’s’—

omit, insert—

‘Minister’s’.

Amendment of s 23 (Dealing with leases)

53.(1) Section 23(1) and (1A), ‘corporation’—

omit, insert—

‘Minister’.

(2) Section 23(2), ‘corporation’s’—

omit, insert—

‘Minister’s’.

Amendment of s 24 (Power to execute and register documents)

54.(1) Section 24(1), ‘corporation’—

omit, insert—

‘State’.

(2) Section 24(2), ‘by the corporation’—

omit, insert—

‘for and on behalf of the State’.

Amendment of s 25 (Cancellation of leases by corporation)

55.(1) Section 25, heading—

omit, insert—

‘Cancellation of leases by Minister’.

(2) Section 25(1), (2) and (4), ‘corporation’—

omit, insert—

‘Minister’.

Amendment of s 26 (Revocation of appointment of trustees)

56. Section 26(4)—

omit, insert—

‘(4) The improvements constructed on the land by the lessee, become the property of the State unless the Minister permits their removal.’.

Amendment of s 28 (Occupation or use contrary to trust)

57. Section 28(b), ‘corporation’—

omit, insert—

‘Minister’.

Amendment of s 29 (Mortgage of land)

58.(1) Section 29(1), ‘section 4(1)’—

omit, insert—

‘section 4(1A)’.

(2) Section 29(2), ‘corporation’—

omit, insert—

‘Minister’.

(3) Section 29(3), ‘corporation’—

omit, insert—

‘State’.

(4) Section 29(4), ‘corporation’—

omit, insert—

‘Minister’.

(5) Section 29(5)—

omit, insert—

‘(5) The Minister may consent in writing to the sale if the mortgagee gives the State security, or an undertaking, for the money owing to the State.

‘(5A) The security or undertaking under subsection (5) must be satisfactory to the Minister.’.

(6) Section 29(6), ‘corporation’—

omit, insert—

‘Minister’.

(7) Section 29(8)—

omit, insert—

‘(8) If land is sold under this section, the mortgagee must—

(a) give to the Minister a declaration setting out—

(i) the gross amount received from the sale; and

(ii) the amount of the debt under the mortgage on the date of the sale; and

(iii) details of the expenses of the sale; and

(iv) the amount calculated by deducting from the gross amount received from the sale—

- (A) any amount paid to the State under subsection (3); and
 - (B) the amount mentioned in paragraph (a)(ii); and
 - (C) the expenses of the sale; and
- (b) pay to the State—
- (i) any amount mentioned in paragraph (a)(iv); or
 - (ii) if the mortgagee has given the State security or an undertaking under subsection (5)—the amount by which the value of the security or undertaking exceeds the amount mentioned in paragraph (a)(iv).’.

(8) Section 29(9), ‘corporation’—

omit, insert—

‘Minister’.

(9) Section 29(10)—

omit, insert—

‘**(10)** All money received by the person appointed under subsection (9) must be paid to the State.’.

Amendment of s 31 (Application of moneys received)

59. Section 31(2), ‘fund’—

omit, insert—

‘State’.

Omission of s 33 (Tenders called prior to appointment of trustees)

60. Section 33—

omit.