



Chinese Temple Society Act 1964

Current as at 18 March 1996—revised version

Reprint note—

This reprint has been reformatted to reflect current drafting styles.
This version was updated on 14 February 2014.

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Chinese Temple Society Act 1964

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Chinese Temple Society Act 1964

[reprinted as in force on 18 March 1996]

An Act to make provision for the vesting of certain property in the corporation, known or styled as ‘The Chinese Temple Society’

Preamble

- 1 Whereas the Chinese community in Brisbane is concerned that the Chinese Joss House situated at the corner of Higgs and Park Streets, Breakfast Creek, Brisbane, should be restored as a place of worship for Chinese in accordance with the practice and custom of their fathers and should be and continue to be used and maintained for such purpose.
- 2 And whereas owing to the death or absence of the registered proprietors of the land on which the said Joss House is erected and the legal difficulties occasioned thereby and vandalism which has taken place with respect to the said Joss House the use control and maintenance of the said Joss House for such said purpose has been rendered impracticable and inconvenient.
- 3 And whereas in order that such said purpose may be the better effected the Chinese community has been organised into a society called ‘The Chinese Temple Society’.
- 4 And whereas the said ‘The Chinese Temple Society’ has adopted a constitution in which the objects of the said society are set out as—
 - (a) the use of the Joss House and contents thereof for the time being situate at the corner of Higgs and Park Streets, Breakfast Creek, Brisbane, generally as a place of worship; and

[s 1]

- (b) the provision of accommodation for personnel to be engaged as caretakers of the Joss House; and
 - (c) the engagement of such caretakers; and
 - (d) the general upkeep and improvement of the grounds and buildings or other improvements now or hereafter to be erected thereupon; and
 - (e) the permitting of such grounds and buildings to be inspected by the public from time to time; and
 - (f) the raising of funds and acceptance of donations to further the foregoing objects:
- 5 And whereas on 12 March 1964, letters patent were issued in pursuance of the *Religious Educational and Charitable Institutions Act 1861* incorporating the said ‘The Chinese Temple Society’ as a body corporate by the name and style of ‘The Chinese Temple Society’.
- 6 And whereas it is expedient that provision should be made to facilitate the vesting in the corporate body known as ‘The Chinese Temple Society’ of the land on which the said Joss House is erected and the contents of the said Joss House.

1 Short title

This Act may be cited as the *Chinese Temple Society Act 1964*.

2 Interpretation

In this Act—

corporation means the body corporate by the name and style of ‘The Chinese Temple Society’ incorporated by letters patent issued in pursuance of the *Religious Educational and Charitable Institutions Act 1861*.

said land means the land on which the Chinese Joss House is erected at the corner of Higgs and Park Streets, Breakfast Creek, Brisbane, situated in the county of Stanley, parish of Toombul, described as subdivisions 57, 58 and 59 of allotment 1 of portion 1 containing an area of 1rd 8.9p and being the

whole of the land contained in certificate of title number 166545 volume 1013 folio 35.

3 Vesting of property

An estate in fee simple in the said land and all improvements erected thereon and all other property forming part of the said Chinese Joss House shall, from and immediately after the passing of this Act, be vested in the corporation by virtue of this Act and without any transfer or conveyance whatsoever but subject to and without prejudice to any mortgage, lien, trust or other interest affecting the same.

4 Title

The registrar of titles shall upon request made to the registrar by or on behalf of the corporation, register the corporation as proprietor of the said land for an estate in fee simple and issue to the corporation a new certificate of title for an estate in fee simple in the said land subject to any liens, encumbrances or other interests endorsed thereon.

5 Exemption from stamp duty and registration fees

No stamp duty shall be payable on any instrument or document used pursuant to the provisions of sections 3 and 4 hereof, and no fee shall be payable on any registration effected pursuant to the provisions of sections 3 and 4 hereof or for the issue of the new certificate of title under section 4 hereof.

6 Holding of property

The said land and improvements and other property vested in the corporation shall be held upon such terms, conditions and trusts as the constitution of the corporation may provide from time to time subject to any trusts, conditions or charges upon any part thereof created by the donor of such part.

Endnotes

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2 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 version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments to	Effective	Reprint date
1	none	14 April 1964	18 March 1996
Current as at 18 March 1996 rv		Amendments included none	Notes RA s 35

4 List of legislation

Chinese Temple Society Act 1964

date of assent 14 April 1964
commenced on date of assent

5 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

6 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
Preamble	
1st unnum para	1
2nd unnum para	2
3rd unnum para	3
4th unnum para	4
5th unnum para	5
6th unnum para	6

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