



# Queensland Boundaries Declaratory Act 1982

**Current as at 10 November 1994—revised version**

## **Reprint note**

Powers under the *Reprints Act 1992* have been used in this reprint to bring the legislation into line with current drafting practice.

## 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legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.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](http://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](http://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

# Queensland Boundaries Declaratory Act 1982

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# Queensland Boundaries Declaratory Act 1982

[reprinted as in force on 10 November 1994]

**An Act to declare with respect to certain of the land boundaries of the State of Queensland and with respect to the construction of certain references in the law of the State and in instruments to which that law applies and for related purposes**

## Preamble

Whereas by letters patent made 6 June 1859, which erected into the Colony of Queensland the territory described therein, the land boundaries of the colony were defined in part by reference to the latitude 29° south and by reference to the longitude 141° east:

And whereas by letters patent made 13 March 1862 there was annexed to the Colony of Queensland the territory lying northward of the latitude 26° south and between the longitudes 141° east and 138° east:

And whereas the difficulties associated with the location upon the surface of the earth of a boundary defined by reference to a parallel of latitude or a meridian of longitude required the delineation and determination of that boundary by marking it upon the surface of the earth:

And whereas pursuant to agreements and arrangements made the locations of the land boundaries of the Colony of Queensland defined in the letters patent by reference to parallels of latitude or meridians of longitude have been ascertained by survey and have been permanently fixed by marking them upon the surface of the earth and those locations have been accepted and acted upon for generations:

[s 1]

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And whereas the Colony of Queensland, having become part of the Commonwealth of Australia, is now the State of Queensland:

## 1 Short title

This Act may be cited as the *Queensland Boundaries Declaratory Act 1982*.

## 2 Meaning of terms

In this Act—

*instrument* means any—

- (a) letters patent, proclamation, commission, order in council, regulation, ordinance or by-law;
- (b) grant or lease of land or any interest in land or of authority licence or right to be in or upon, to use or to take up and occupy any land;
- (c) order of a court, warrant or notice issued under the authority of law;
- (d) contract, agreement, document or writing of any kind whatever that evidences rights or obligations enforceable at law;

that falls to be construed according to the law of the State of Queensland.

*the Letters Patent* means the letters patent referred to in the preamble to this Act and either of them.

## 3 State land boundaries

Each land boundary of the State in so far as it is defined in the Letters Patent by means of a reference to a parallel of latitude or a meridian of longitude is and always has been the boundary that in relation to that parallel or meridian has been permanently fixed by marking it upon the surface of the earth before the year 1900 notwithstanding any map, chart,

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document or writing of any kind whatever that purports to show the boundary elsewhere than as so permanently fixed.

#### **4 Construction of instruments**

In any Act or instrument—

- (a) a reference (in whatever words expressed) to a land boundary of the State, being a boundary defined in the Letters Patent by means of a reference to a parallel of latitude or a meridian of longitude, or to any part of such a boundary; or
- (b) a reference to a parallel of latitude or a meridian of longitude referred to in Letters Patent;

shall be taken to be a reference to that boundary of the State that has been permanently fixed by marking it upon the surface of the earth before the year 1900 and, where the reference is in an Act enacted or instrument made before the commencement of this Act, shall be taken to have been such a reference since the enactment of the Act or, as the case may be, the making of the instrument.

#### **5 Act not to found liability**

Neither the Crown nor any person shall be held to incur liability to pay damages or to make other remedy on account of loss or injury claimed by any person to have been suffered by the person by reason of the enactment of this Act.

## Endnotes

### 1 Index to 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](mailto: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.

Current as at 10 November 1994 rv	Amendments included none	Notes RA s 44A
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## 4 List of legislation

### Queensland Boundaries Declaratory Act 1982 No. 54

date of assent 18 November 1982

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
references to Queensland implied	Acts Interpretation Act 1954 s 35

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