

Queensland



ANNO TRICESIMO QUINTO
ELIZABETHAE SECUNDAE REGINAE

An Act to amend the Roman Catholic Church Lands Act
1985-1986 in certain particulars

[ASSENTED TO 27TH AUGUST, 1986]

Preamble: Whereas certain estates and interests in land located in the Rockhampton Diocese are held in the names of various registered proprietors and lessees on behalf of the Roman Catholic Church:

And Whereas as far as can be ascertained all those proprietors and lessees are deceased:

And Whereas the Roman Catholic Trust Corporation for the Diocese of Rockhampton constituted under the *Religious Educational and Charitable Institutions Act 1861-1967* (repealed) is authorized to hold land for the Roman Catholic Church in the Rockhampton Diocese:

And Whereas by the *Roman Catholic Church Lands Act 1985-1986* certain estates and interests in freehold and leasehold land within the Brisbane Archdiocese and other diocese within Queensland were vested in the appropriate body corporate on behalf of the Roman Catholic Church:

And Whereas it is desirable to amend the *Roman Catholic Church Lands Act 1985-1986* to vest the firstmentioned estates and interests in land in the Roman Catholic Trust Corporation for the Diocese of Rockhampton freed and discharged from any trusts upon which the land is presently held:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Roman Catholic Church Lands Act Amendment Act 1986*.

(2) In this Act the *Roman Catholic Church Lands Act 1985-1986* is referred to as the Principal Act.

(3) The Principal Act, as amended by this Act may be cited as the *Roman Catholic Church Lands Act 1985-1986*.

2. New s. 4A. The Principal Act is amended by inserting after section 4 the following section:—

“4A. Vesting of certain land in the Roman Catholic Trust Corporation for the Diocese of Rockhampton. The estate and interest in the land set out and described in the Fourth Schedule and any improvements thereon is hereby divested from each person who, at the passing of the *Roman Catholic Church Lands Act Amendment Act 1986*, is the registered proprietor or lessee and vests in the Roman Catholic Trust Corporation for the Diocese of Rockhampton constituted under the *Religious Educational and Charitable Institutions Act 1861-1967* (repealed) completely freed and discharged from the trusts (if any) under which the land is presently held.”.

3. Amendment of s. 5. Duty of Registrar of Titles and others. Section 5 of the Principal Act is amended in the second paragraph by adding after provision (c) the following expression and words:—

”;

- (d) in relation to land described in the Fourth Schedule, the Roman Catholic Trust Corporation for the Diocese of Rockhampton”.

4. Amendment of s. 6. Amendment of Schedules. Section 6 of the Principal Act is amended by—

- (a) in subsection (1)—

- (i) inserting after paragraph (c) the following paragraph:—

“(ca) The Governor in Council may from time to time by Order in Council amend the Fourth Schedule by adding thereto a description of land held on behalf of the Roman Catholic Church and located in the Rockhampton Diocese in addition to the land set out and described therein.

Upon amendment, the Fourth Schedule as so amended shall be taken to be the Fourth Schedule to this Act.”;

- (ii) in paragraph (d)—

(A) omitting the words “or the Third” and substituting the words “, the Third Schedule or the Fourth”;

(B) omitting the expression “,” occurring at the end of provision (iii) and substituting the following expression and words:—

”;

- (iv) in the case of an addition to the Fourth Schedule, section 4A,”;

(b) omitting from subsection (2) the word “order” and substituting the word “Order”.

5. New Fourth Schedule. The Principal Act is amended by adding after the Third Schedule the following schedule:—

FOURTH SCHEDULE

LAND VESTING IN ROMAN CATHOLIC TRUST CORPORATION FOR THE DIOCESE OF
ROCKHAMPTON.

Land Tenure	Nature and Number of Instrument of Title	Vol.	Fol.	County	Parish	Town or City	Description of property	Area	Registered Proprietor or Lessee
Freehold	Part of C/T No. C2739	72	34	Livingstone	Archer	—	Lot 1 on Registered Plan No. 602763	2 acres 2 roods 16.4 perches	James Duhig, Roman Catholic Bishop of Rockhampton
Freehold	D/G No. 4033	82	123	Rodney	Marathon	Aramac	Allot. 4 of Section 15	1 acre	Joseph Higgins, William Mason Walsh and Augusto Loretucci as joint tenants
Freehold	D/G No. 4034	82	124	Rodney	Marathon	Aramac	Allot. 7 of Section 15	1 acre	Joseph Higgins, William Mason Walsh and Augusto Loretucci as joint tenants
Freehold	D/G No. 7894	141	48	Ferguson	Banana	Banana	Lot 9 on Plan No. B4913	2 roods	James Duhig

6. Amendment of preamble. The Principal Act is amended in the preamble by inserting at the end thereof the following paragraphs:—

“And Whereas the Roman Catholic Trust Corporation for the Diocese of Rockhampton constituted under the *Religious Educational and Charitable Institutions Act 1861-1967* (repealed) is authorized to hold land for the Roman Catholic Church in the Rockhampton Diocese:

And Whereas it is desirable to vest such of the land as is located in the Rockhampton Diocese in the Roman Catholic Trust Corporation for the Diocese of Rockhampton freed and discharged from any trusts upon which the land is presently held:”.

7. Amendment of long title. The Principal Act is amended in the long title by—

(a) omitting the words “of Townsville or” and substituting the words “of Townsville,”;

(b) inserting after the word “Toowoomba” the words “or the Roman Catholic Trust Corporation for the Diocese of Rockhampton”.