

Queensland



ANNO TRICESIMO SEXTO

ELIZABETHAE SECUNDAE REGINAE

No. 84 of 1987

**An Act to repeal The Newstead House Trust Act of 1939  
and to provide for the ownership and control of the  
Newstead House Complex and the reversion to the  
Crown of lands held in connexion therewith**

[ASSENTED TO 1ST DECEMBER, 1987]

BE IT 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:—

## PART I—PRELIMINARY AND REPEAL

**1. Short Title.** This Act may be cited as the *Queensland Museum (Newstead House Acquisition) Act 1987*.

**2. Commencement.** (1) Section 1 and this section shall commence on the day this Act is assented to for and on behalf of Her Majesty.

(2) Except as is provided by subsection (1) the provisions of this Act shall commence on a date to be appointed by Proclamation.

The date so appointed is in this Act referred to as the commencement of this Act.

**3. Arrangement.** This Act is arranged in Parts as follows:—

PART I—PRELIMINARY AND REPEAL (ss. 1—4);

PART II—VESTING AND CONTROL OF NEWSTEAD HOUSE COMPLEX (ss. 5—8).

**4. Repeal of Newstead House Trust Act and effect thereof.** Upon the commencement of this Act—

- (a) *The Newstead House Trust Act of 1939* is repealed;
- (b) the appointments of persons then constituting The Board of Trustees of Newstead House as members of the board shall terminate;  
and
- (c) the body corporate constituted under the name and style of The Board of Trustees of Newstead House shall cease to exist.

## PART II—VESTING AND CONTROL OF NEWSTEAD HOUSE COMPLEX

**5. Interpretation.** In this Part, except where a contrary intention appears—

“John Oxley landing” means the pontoon landing and mooring situated at Newstead Point in the Brisbane River and all fixtures, items and equipment used in connexion therewith that are the property of the Trust immediately before the commencement of this Act;

“Museum Board” means the Queensland Museum Board of Trustees constituted under the *Queensland Museum Act 1970* or that Act as amended for the time being;

“Newstead House” means all fixed improvements erected on the land firstly described in the Schedule and all movables

situated therein that are the property of the Trust immediately before the commencement of this Act;

“Newstead House Complex” means Newstead House, Newstead Resource Centre and John Oxley landing and all other property being assets of the Trust immediately before the commencement of this Act other than the lands described in the Schedule;

“Newstead Resource Centre” means all fixed improvements erected on the land secondly described in the Schedule and all movables situated therein that are the property of the Trust immediately before the commencement of this Act;

“Trust” means The Board of Trustees of Newstead House constituted under *The Newstead House Trust Act of 1939*.

6. Newstead House Complex a branch of Queensland Museum. Upon the commencement of this Act the Newstead House Complex shall become and be a branch of the Queensland Museum and shall be deemed to have been established as such a branch by the Museum Board pursuant to the *Queensland Museum Act 1970-1985*.

7. Vesting of assets etc. (1) Upon the commencement of this Act—

- (a) the estate in fee simple held by the Trust in the lands described in the Schedule shall, by virtue of this section, be deemed to have been surrendered by the Trust to the Crown and the lands shall become and be Crown land;
- (b) the Newstead House Complex shall by virtue of this section divest from the Trust and vest in and be under the control of the Museum Board as part of the Queensland Museum;
- (c) all entitlements had by the Trust in connexion with the Newstead House Complex shall cease to be entitlements of the Trust and shall by virtue of this section become and be entitlements of the Museum Board;
- and
- (d) all liabilities had by the Trust in connexion with the Newstead House Complex shall cease to be liabilities of the Trust and shall by virtue of this section become and be liabilities of the Museum Board.

(2) Where any entitlement or liability referred to in subsection (1) exists by reason of any contract, agreement or arrangement entered into by the Trust, the Museum Board shall be deemed to be a party to the contract, agreement or arrangement in place of the Trust.

(3) The Registrar of Titles or other person charged with keeping a register of title to the lands described in the Schedule shall, upon a request made on behalf of the Crown, make in the register all necessary entries to record the surrender provided for by subsection 1 (a) and the reversion of the lands described in the Schedule to the Crown as Crown land.

Any person charged with keeping a register of title to other property referred to in subsection (1) shall, upon a request made by or on behalf of the Museum Board, make in the register all necessary entries to record the divesting and vesting of such property provided for by subsection (1).

No stamp duty, fees or other charges shall be payable in respect of any such request.

**8. Governor in Council may make provision.** If it appears to the Governor in Council that there is a need for provision or further provision to be made in relation to—

- (a) the transition of the Newstead House Complex from control under *The Newstead House Trust Act of 1939* to control as a branch of the Queensland Museum;
- (b) the continuity of the maintenance, development or control of the Newstead House Complex;
- (c) the divesting or vesting of property provided for by section 7 (1);

or

- (d) the transfer of assets, entitlements or liabilities from the Trust to the Museum Board,

the Governor in Council may, by Order in Council, make such provision as he thinks fit.

Every such Order in Council shall have the force of law as if its provisions were part of this Act and shall be given effect.

#### SCHEDULE

[ss. 5, 7]

Lots 1 and 2 on registered plan No. 58673

County Stanley parish North Brisbane

City Brisbane containing 32.29 perches.

Lot 1 on registered plan No. 158759

County Stanley Parish North Brisbane

City Brisbane containing 184 square metres.