



Queensland

Queensland Coast, Islands and Waters Instruments

Current as at 11 April 1996



Queensland Coast, Islands and Waters

Letters Patent dated 10 June 1868

Current as at 11 April 1996

Information about this reprint

These letters patent are reprinted as at 11 April 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. A table of reprints is included in the endnotes.

See endnotes for information about when provisions commenced.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

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Queensland

Queensland Coast, Islands and Waters

Letters Patent dated 10 June 1868

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Queensland Coast, Islands and Waters

Letters Patent dated 10 June 1868

[reprinted as in force on 11 April 1996]

Commission passed under the Great Seal authorising the Governor of New South Wales to make leases and other dispositions of islands and other places containing guano and other fertilising substances, which may from time to time become the possession of the Crown within certain limits, but which may not be within the jurisdiction of any Colonial Government

Letters Patent,

Dated 10 June 1868.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our trusty and well-beloved Our Governor and Commander-in-Chief in and over Our Colony of New South Wales, greeting.

Whereas it may happen that guano and other fertilising substances may from time to time be discovered on islands and other places belonging to Us, Our heirs and successors, being within the limits hereinafter described, but not within the jurisdiction of any Colonial Government;

And whereas it is expedient to make provision for the disposal and use of such islands.

Now know you that We have thought fit to authorise, and do hereby authorise and empower you Our Governor or Officer administering the Government of Our said Colony of New South Wales, by any instrument under your or his hand and

seal, to make leases and other dispositions for a term or terms of years of any such islands as aforesaid, or of any part or parts thereof, and to issue licenses authorising the person or persons designated therein to take guano or other fertilising substances from the said islands, and to insert therein such conditions and stipulations as may seem to you advisable.

Provided that, in the execution of the powers hereby conferred on you, you shall conform to such instructions as you may from time to time receive from Us under Our signet and sign manual, or through one of Our principal Secretaries of State.

And We do further declare that the aforesaid powers shall be exercisable by you with respect to all such islands as aforesaid situate in that part of the Indian and South Pacific Oceans which is bounded as follows, that is to say—on the north by the 10th parallel of south latitude, on the east by the 170th meridian of west longitude, on the south by the Antarctic Circle, and on the west by the 75th meridian of east longitude.

In witness whereof We have caused these Our letters to be made patent. Witness Ourselves at Westminster, 10 June, in the 31st year of Our reign.

By Warrant under the Queen's Sign Manual.

(Signed)

C. ROMILLY.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Queensland Coast, Islands and Waters Letters Patent dated 10 June 1868 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 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 edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	17 August 1872	11 April 1996

5 List of legislation

Queensland Coast, Islands and Waters Letters Patent dated 10 June 1868

warrant signed 10 June 1872

pubd gaz 17 August 1872 p 1271

Note—This instrument is a Letters Patent authorising the Governor of New South Wales to make leases and other dispositions of certain islands and other places within defined limits off the East Coast of Australia.

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Authorised by the Parliamentary Counsel



Queensland Coast, Islands and Waters

Letters Patent dated 30 May 1872

Current as at 11 April 1996

Information about this reprint

These letters patent are reprinted as at 11 April 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- update references (pt 4, div 3)
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. A table of earlier reprints is included in the endnotes.

See endnotes for information about when provisions commenced.

Dates shown on reprints

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Queensland Coast, Islands and Waters

Letters Patent dated 30 May 1872

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Queensland Coast, Islands and Waters

Letters Patent dated 30 May 1872

(Islands within 60 miles of coast of Colony)

[reprinted as in force on 11 April 1996]

Letters patent passed under the Great Seal appointing the Governor of the Colony of Queensland to be Governor of all islands within 60 miles from the coast of the said Colony, and authorising the annexation of the aforesaid islands to that Colony

Letters Patent,

Dated 30 May 1872.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting.

Whereas we did, by certain letters patent, under the Great Seal of our United Kingdom, bearing date at Westminster 6 June 1859, in the 22nd year of our reign, erect certain territories therein described, together with all and every the adjacent islands, their members and appurtenances in the Pacific Ocean, into a colony by the name of the Colony of Queensland.

And whereas it is expedient that all the islands lying and being within 60 miles of the coasts of the said colony should be annexed to, and form part of, the said Colony of Queensland,

if the Legislative Council and Assembly thereof should desire such annexation.

And whereas it is expedient that, until such annexation, the affairs of the said islands should by administered by a Governor, to be for that purpose appointed by us.

Appointment of the Governor of Queensland to be Governor of the islands within 60 miles of coasts of colony

Now know ye, that, in considerations of the premises, We, of our special grace, mere motion, and certain knowledge, have thought fit to constitute and appoint, and by these presents do constitute and appoint, the Governor and Commander-in-Chief for the time being of Our said Colony of Queensland, to be the Governor of the said islands, and we do hereby vest in him all the powers and authorities which by these presents are given and granted to the Governor for the time being of the said islands.

Temporary administration during the Governor's absence

And We do hereby further declare Our pleasure to be, that in the event of the death or incapacity of the said Governor and Commander-in-Chief for the said Colony of Queensland, or, in the event of his absenting himself from the said colony otherwise than for the purpose of visiting the said islands, then, and in either of these cases, the officer for the time being who may be administering the Government of the said colony shall be and he is hereby constituted and appointed Governor for the time being of the said islands.

Power to make rules etc.

And We do hereby further authorise and empower the said Governor of the islands to make all such rules and regulations as may lawfully be made by Our authority for the order, peace, and good government of the said islands, subject nevertheless to any instructions which may from time to time be hereafter given him, under Our sign manual and signet, or through one of Our principal Secretaries of State.

Power to make leases and grant licenses—minerals and guano licenses

And We do hereby further authorise and empower the said Governor of the said islands, so long as he shall be Governor thereof, by any instrument under his hand and seal, to make leases and other dispositions for a term or term of years, of any of the said islands as aforesaid, or any part or parts thereof, and to issue licenses authorising the person or persons designated therein to take minerals or guano, or other fertilising substances, or other produce from the said islands, or any of them, and to insert in such leases, dispositions, or licenses, as the case may be, all such reservations by way of rent or royalty, or otherwise, and all such conditions, exceptions, and stipulations as may to him seem advisable.

Provided always, that in the execution of the powers hereby conferred on him, he shall conform to such instructions as he may from time to time receive from Us under Our sign manual and signet, or through one of Our principal Secretaries of State.

Power to revoke or confirm existing leases

And We do hereby further authorise and empower the said Governor, as he may deem expedient, under his hand and seal, to confirm any grant, disposition, lease, or license, which may have been made or issued before the date of these presents, to any person or persons in respect of the said islands, or any of them, or any part thereof, by any Governor of Our Colony of New South Wales, or to accept a surrender of any such grant, disposition, lease, or license, and to make and issue any new disposition, lease, or license to the persons surrendering the same, or their nominees, under the powers and in the manner hereinbefore declared.

Power to Governor to surrender islands to Colony of Queensland

And We do hereby further declare Our pleasure to be that, if at any time hereafter the Legislative Council and Assembly of the said Colony of Queensland shall, by resolution or

otherwise, request the said Governor of the said islands to transfer the same to the said Colony of Queensland, for the purpose of their being annexed to and forming part of the said colony, then the said Governor shall, and he is hereby authorised and empowered to transfer to the said colony the said islands; and from and after the date of such transfer the said islands so transferred shall be deemed and taken to be, and shall be, annexed to and form part of the said Colony of Queensland.

Proclamation of the surrender of the islands

And We further declare Our pleasure to be that the said Governor of the said islands shall declare by proclamation the said transfer, and from and after the date of such proclamation, these presents shall cease and be of none effect, so far as relates to the appointment of a Governor of the said islands and his powers thereunder, but not further or otherwise, and not so as to affect any instruments, acts, matters, or things made or done by him while such Governor as aforesaid, in pursuance of the powers hereby conferred on him.

Power reserved to Her Majesty to revoke etc. letters patent

And We do hereby reserve to Us, Our heirs and successors, full power and authority from time to time to revoke, alter, or amend these Our letters patent, as to Us or them shall seem meet.

In witness whereof We have caused these Our letters to be made patent. Witness Ourselves at Westminster, 30 May, in the 35th year of Our reign.

By Warrant under the Queen's Sign Manual.

C. ROMILLY.

Endnotes

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2 Date to which amendments incorporated

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3 Key

Key to abbreviations in list of legislation and annotations

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AIA	= Acts Interpretation Act 1954	(prev)	= previously
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amdt	= amendment	prov	= provision
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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 edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
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4 Table of reprints

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Reprint No.	Amendments to	Effective	Reprint date
1	none	17 August 1872	11 April 1996

5 List of legislation

Queensland Coast, Islands and Waters Letters Patent dated 30 May 1872

warrant signed 30 May 1872

pubd gaz 17 August 1872 pp 1269–71

Note—This instrument is a Letters Patent appointing the Governor General of Queensland to be Governor of all islands within sixty miles from the coast, and authorising the annexation of those islands to Queensland. See also the Colonial Boundaries Act 1895 (Imp).

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Queensland Coast, Islands and Waters

Deed Poll dated 22 August 1872

Current as at 11 April 1996

Information about this reprint

This deed poll is reprinted as at 11 April 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- use standard punctuation consistent with current drafting practice (s 27)
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Queensland

Queensland Coast, Islands and Waters

Deed Poll dated 22 August 1872

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Queensland Coast, Islands and Waters

Deed Poll dated 22 August 1872

[reprinted as in force on 11 April 1996]

Deed poll—Transferring to the Colony of Queensland the islands within 60 miles of the coast

To all to whom these presents shall come,
greeting—

Whereas Her Most Gracious Majesty the Queen was pleased, by letters patent under the Great Seal of the United Kingdom, dated 30 May 1872, to constitute and appoint the Governor and Commander-in-Chief for the time being of the Colony of Queensland, to be Governor of all the islands lying and being within 60 miles of the coasts of the said colony.

And whereas Her said Majesty did, by the said letters patent, further declare Her pleasure to be that if at any time thereafter the Legislative Council and Assembly of the said Colony of Queensland should, by resolution or otherwise, request the said Governor of the said islands to transfer the same to the said Colony of Queensland, for the purpose of their being annexed to and forming part of the said colony, then the said Governor should, and he was thereby authorised and empowered to transfer to the said colony the said islands, and from and after the date of such transfer, the said islands so transferred should be deemed and taken to be, and should be annexed to and form part of the said Colony of Queensland.

And whereas the Legislative Council and Assembly of Queensland have respectively resolved, that it is desirable that the islands lying within 60 miles of the coast of the Colony of

Queensland should be annexed to, and become part of the said colony, and have respectively presented addresses to me, George Augustus Constantine, Marquis of Normanby, Governor and Commander-in-Chief of the Colony of Queensland, and Governor of all the islands lying and being within 60 miles of the coast of the said colony, praying that I will be pleased to exercise the powers in that behalf, conferred upon me by the above recited letters patent of 30 May 1872.

And whereas I have taken into my consideration the prayer of the said petitioners, and have agreed thereto.

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, Governor of Queensland and of the islands aforesaid, in pursuance of the powers conferred upon me by the said recited letters patent of 30 May 1872, and of all other powers enabling me in that behalf, do, by these presents, transfer to the said Colony of Queensland, all the islands lying and being within 60 miles of the coast of the said colony, whereof I am and have been duly constituted and appointed to be the Governor, in order that the said islands may be annexed to, and form part of the Colony of Queensland.

In witness whereof I have hereunto set my hand and seal, at Government House, Brisbane, this 22 August 1872.

[L.S.] NORMANBY.

Signed, sealed and delivered by the Most Honourable the Marquis of Normanby, Governor and Commander-in-Chief of the Colony of Queensland and its dependencies, and Governor of the islands within 60 miles of the coast of the said colony, etc., etc., in the presence of JOHN BRAMSTON.

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2 Date to which amendments incorporated

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3 Key

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notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
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Reprint No.	Amendments to	Effective	Reprint date
1	none	24 August 1872	11 April 1996

5 List of legislation

Queensland Coast, Islands and Waters Deed Poll dated 22 August 1872

deed poll signed 22 August 1872

pubd gaz 24 August 1872 p 1326

Note—This instrument is a Deed Poll by the Governor transferring to the Colony of Queensland the off-coast islands. See also the Colonial Boundaries Act 1895 (Imp).

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Queensland Coast, Islands and Waters

Letters Patent dated 10 October 1878

Current as at 11 April 1996

Information about this reprint

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Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35).

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Queensland Coast, Islands and Waters

Letters Patent dated 10 October 1878

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Queensland Coast, Islands and Waters

Letters Patent dated 10 October 1878

[reprinted as in force on 11 April 1996]

Draft of letters patent passed under the Great Seal of the United Kingdom for the rectification of the maritime boundary of the Colony of Queensland, and for the annexation to that colony of Tuan, Saibai, Talbot, Deliverance, and other islands lying in Torres Straits and between Australia and New Guinea

Letters patent,

Dated 10th October, 1878.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India:

To all to whom these presents shall come,

Greetings—

Preamble—Recites that certain islands should be annexed to Queensland

Whereas it is expedient that certain islands in Torres Straits, and lying between the continent of Australia and island of New Guinea, that is to say, all islands included within a line drawn from Sandy Cape northward to the south-eastern limit of Great Barrier Reefs, thence following the line of the Great Barrier Reefs to their north-eastern extremity, near the latitude of nine and a half degrees south, thence in a north-westerly direction, embracing East, Anchor, and Bramble Cays, thence from Bramble Cays in a line west by south (south 79° west) true; embracing Warrior Reef, Saibai, and Tuan Islands, thence diverging in a north-westerly direction so as to embrace the group known as the Talbot Islands; thence to and

embracing the Deliverance Islands, and onwards in a west by south direction (true) to the meridian of 138° of east longitude, should be annexed to and form part of Our Colony of Queensland.

Now We do, by these Our letters patent, under the Great Seal of Our United Kingdom of Great Britain and Ireland, authorise Our Governor for the time being of Our said Colony of Queensland, by proclamation under his hand and the public seal of the said colony, to declare that, from and after a day to be therein mentioned, the said islands shall be annexed to and form part of Our said colony.

Provided always that Our said Governor issues no such proclamation as aforesaid until the Legislature of Our said Colony of Queensland shall have passed a law¹ providing that the said Islands shall, on the day aforesaid, become part of Our said colony, and subject to the laws in force therein.

Provided also that the application of the said laws to the said Islands may be modified either by such proclamation, as aforesaid, or by any law or laws to be from time to time passed by the Legislature of Our said colony for the government of the said islands so annexed.

II Powers reserved to Her Majesty to revoke, alter, or amend the present letters patent

And We do hereby reserve to Us, Our heirs and successors, full power and authority, from time to time, to revoke, alter, or amend these Our letters patent as to Us or Them shall seem meet.

III Publication of letters patent

And We do further direct and enjoin that these Our letters patent shall be read and proclaimed at such place or places as Our said Governor shall think fit within Our said Colony of Queensland.

1 See the *Queensland Coast Islands Act 1879*.

In witness whereof We have caused these Our letters to be made patent. Witness Ourselves at Westminster, 10 October, in the 42nd year of Our Reign.

By warrant under the Queen's sign manual. C. ROMILLY.

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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 edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
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Reprint No.	Amendments to	Effective	Reprint date
1	none	21 July 1879	11 April 1996

5 List of legislation

Queensland Coast, Islands and Waters Letters Patent dated 10 October 1878

warrant signed 10 October 1879

pubd gaz 21 July 1879 p 143

Note—This instrument is a Letters Patent authorising the annexure by the Governor to the Colony of Queensland of the Torres Strait Islands, provided that the colonial legislature first passed legislation making these islands part of the Colony as from the date of their annexure. See also the Colonial Boundaries Act 1895 (Imp).

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