



Aurukun and Mornington Shire Leases Act 1978

Current as at 21 September 2012

Reprint note

This is the last reprint before repeal. Repealed on 1 January 2015 by 2014 Act No. 45 s 57.

Information about this reprint

This Act is reprinted as at 21 September 2012. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised 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.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Aurukun and Mornington Shire Leases Act 1978

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Aurukun and Mornington Shire Leases Act 1978

[as amended by all amendments that commenced on or before 21 September 2012]

An Act to provide for the granting of leases of land to the Council of the Shire of Aurukun and the Council of the Shire of Mornington and the regulation of entry on shire areas

Part 1 Preliminary

1 Short title

This Act may be cited as the *Aurukun and Mornington Shire Leases Act 1978*.

2 Definitions

In this Act—

Aboriginal land has the meaning given by the *Aboriginal Land Act 1991*, section 10.

Acquisition Act, for part 5A, see section 33A.

Aurukun Reserve means the reserve that existed for the benefit of the Aboriginal inhabitants of the State at Aurukun and that was abolished by order in council dated 6 April 1978 published in the gazette extraordinary of the same date.

compensation claimant, for part 5A, see section 33E(1).

constructing authority, for part 5A, see section 33A.

lease, for part 5A, see section 33A.

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Mornington Reserve means the reserve that existed for the use of the Aboriginal inhabitants of the State at Mornington Island and that was abolished by order in council dated 6 April 1978 published in the gazette extraordinary of the same date.

public purpose means—

- (a) a purpose for which land may be taken under the *Acquisition of Land Act 1967*; or
- (b) a community purpose within the meaning of the *Land Act 1994*; or
- (c) the purpose of townships.

Part 2 Grant of lease

3 Grant of leases to councils

- (1) As soon as practicable after the passing of this Act, the Governor in Council shall, subject to subsection (4), grant—
 - (a) to Council of the Shire of Aurukun, incorporated by section 4(2), a lease of the whole of the land comprising the Shire of Aurukun as shown on map no. LGRB2 held at the department's office at Brisbane as the Shire of Aurukun; and

Editor's note—

Previous section 4 (Incorporation of Aboriginal Councils) was omitted under the *Local Government Act 1993*, section 804 and the schedule.

 - (b) to Council of the Shire of Mornington, incorporated by section 4(2), a lease of the whole of the land comprising the Shire of Mornington as shown on map no. LGRB45 held at the department's office at Brisbane as the Shire of Mornington.

Editor's note—

A copy of each of the maps mentioned in this subsection is available for inspection, without charge, during normal business hours at the department's head office and at each department office in the general area for which the lease is granted.

- (2) The land to which such a grant relates together with improvements included in the grant is in this Act referred to as the *demised land*.
- (3) A grant pursuant to subsection (1)—
 - (a) shall be made under and in accordance with this Act by way of a lease for the objects and purposes of this Act; and
 - (b) shall be subject to the conditions and reservations set out in schedule 1; and
 - (c) shall be construed in accordance with this Act; and
 - (d) save as is prescribed by subsection (9), shall not be one to which the *Land Act 1994* applies.
- (4) When making a grant pursuant to subsection (1) the Governor in Council may reserve to the Crown—
 - (a) in the case of the grant to Council of the Shire of Aurukun—the right to reserve and set apart for 1 or more of prescribed public purposes, whether specified or not—
 - (i) parts of the demised land being the shaded areas shown on the plan contained in schedule 2; and
 - (ii) parts of the demised land in or adjacent to the existing township in the shire being of an aggregate area of 4ha approximately;
without specifying, in relation to the parts referred to in subparagraph (ii), in the grant or in the instrument of lease evidencing the same the parts of the demised land affected by the reservation;
 - (b) in the case of the grant to Council of the Shire of Mornington—the right to reserve and set apart for 1 or

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more of prescribed public purposes, whether specified or not—

- (i) parts of the demised land being the shaded areas shown on the plan contained in schedule 3; and
- (ii) parts of the demised land in or adjacent to the existing township in the shire being of an aggregate area of 4ha approximately;

without specifying, in relation to the parts referred to in subparagraph (ii), in the grant or in the instrument of lease evidencing the same the parts of the demised land affected by the reservation;

- (c) in the case of each grant—the right to reserve and set apart for public purposes, whether specified or not, any part or parts of the demised land of an area to be specified but not exceeding 500ha in the case of the grant to Council of the Shire of Aurukun and 100ha in the case of the grant to Council of the Shire of Mornington, without specifying in the grant or in the instrument of lease evidencing the same the part or parts of the demised land affected by the reservation.
- (5) For the purposes of subsection (4)(a) and (b) a prescribed public purpose is 1 of the following purposes—
- (a) departmental and official purposes;
 - (b) educational institutions or education purposes;
 - (c) health purposes or hospitals;
 - (d) police purposes.
- (6) The reservation and setting apart of land pursuant to the right reserved under subsection (4) shall be effected by the Governor in Council by regulation and the *Land Act 1994*, chapter 3, part 1 applies to the reservation and setting apart as if the land were unallocated State land and the reservation and setting apart were authorised by that part of that Act.
- (7) On the day the regulation commences—

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- (a) the land so reserved and set apart shall thereby be excised from the demised land, shall be taken to have been reserved and set apart for the public purpose specified by the regulation and may be dealt with under the *Land Act 1994*, chapter 3, part 1;
 - (b) the registrar of titles shall make all necessary entries and endorsements in and on the registers of dealings affecting land under the *Land Act 1994* and the relevant instrument of lease to evidence the excision of the land so reserved and set apart from the demised land.
- (8) Compensation in respect of the excision of land from the demised land pursuant to the right reserved under subsection (4) shall be limited to the value of any improvements on the land so excised that are not the property of the Crown.
- (9) The provisions of the *Land Act 1994* that provide for registration of grants made pursuant to that Act and of instruments of lease evidencing such grants and of other instruments affecting the same apply to a grant made pursuant to subsection (1) and to an instrument of lease evidencing the grant and any other instrument affecting the same.
- (10) The Governor in Council may grant a further lease to the Council of the Shire of Aurukun or the Council of the Shire of Mornington for such term and upon such conditions and reservations as the Governor in Council thinks fit if the Governor in Council is satisfied—
- (a) that the terms and conditions of the lease granted to the council concerned pursuant to subsection (1) have been satisfactorily complied with; and
 - (b) that it is desirable in the light of all the circumstances existing at that time that a further lease should be granted.

3A Extension of term

- (1) Despite section 3(3)(b) and schedule 1, on the date of assent of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* (the *enactment day*), the term of the

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leases granted under section 3 is extended to the day that is 50 years after the enactment day.

- (2) Subject to subsection (1), the leases continue in force from the enactment day on the same conditions and reservations applying to the leases immediately before the enactment day.

4 Grant to include improvements

A grant made pursuant to section 3(1) shall include and shall be taken to include improvements, the property of the Crown, which—

- (a) are on the land to which the grant relates at the time when the grant is made; or
- (b) are erected on the demised land after the time when the grant is made.

4A Roads within shires

- (1) This section applies to a road constructed or formed—
- (a) within the Shire of Aurukun by the Council of Shire of Aurukun; or
- (b) within the Shire of Mornington by the Council of Shire of Mornington;
- whether before or after the commencement of this section.
- (2) The road is taken to be a road dedicated to public use and to be a road within the meaning of—
- (a) the *Transport Infrastructure Act 1994*; or
- (b) the *Transport Operations (Road Use Management) Act 1995*; or
- (c) any other Act the application of which in or in relation to any place depends upon that place being a road or part of a road.
- (3) Subsection (2) does not entitle a person to be on the road unless the person is authorised by some other provision of this

Act to be in the Shire of Aurukun or, as the case may be, the Shire of Mornington at the material time.

- (4) Land that is, or is under, the road is not part of the demised land.

5 Councils to be trustees

All interests in land held by the Council of the Shire of Aurukun or the Council of the Shire of Mornington shall be deemed to be held in trust for the benefit of persons who for the time being reside on any part of the land and the holder of those interests shall be deemed to be a trustee of the same for that purpose.

Part 5 Provisions concerning the shires and their councils

18A Application of pt 5

This part applies only in relation to that part of the local government area of the Shire of Mornington that was the local government area of the Shire of Mornington immediately before the day that, under the repealed *Local Government Act 1993*, chapter 3, part 1B, was the changeover day for the adjusted local government area of Mornington.

19 Right of residence in shires

The following persons are authorised to enter, to reside in and to be in the Shire of Aurukun or the Shire of Mornington—

- (a) an Aborigine who on 5 April 1978 was lawfully entitled to reside in the Aurukun Reserve or, as the case may be, the Mornington Reserve;
- (b) a descendant of an Aborigine referred to in paragraph (a);

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- (c) an Aborigine who at any time lawfully resided in the Aurukun Reserve or, as the case may be, the Mornington Reserve or in the Shire of Aurukun or, as the case may be, the Shire of Mornington and who has obtained the approval of the council of the shire concerned to return to reside in the shire;
- (d) a descendant of an Aborigine referred to in paragraph (c);
- (e) a descendant of an Aborigine who, if the Aborigine had obtained the approval of the appropriate council would be an Aborigine referred to in paragraph (c), which descendant has obtained the approval of the council of the shire concerned to reside in the shire;
- (f) a person, other than one referred to in paragraphs (a) to (e), who intermarries or has intermarried with an Aborigine who is authorised or becomes authorised to reside in the Shire of Aurukun or, as the case may be, the Shire of Mornington;
- (g) a person who seeks entry to or is in the Shire of Aurukun or, as the case may be, the Shire of Mornington for the purpose of performing or exercising in the shire a function or power under this or any other Act or under an Act of the Commonwealth, if it is necessary or desirable for the proper performance or exercise of that function or power that the person be resident in the shire and if such function or power is directed to the needs or service of the shire or of any resident in the shire;
- (h) a person who is the holder of land in the Shire of Aurukun or, as the case may be, the Shire of Mornington as trustee for a public purpose or who is the holder of a lease, licence, permit or other authority issued under any Act which in its express terms authorises the person to enter upon land that is in the Shire of Aurukun or, as the case may be, the Shire of Mornington, if it is necessary or desirable for the proper exercise of the entitlement conferred by the lease, licence, permit or other authority that the person be resident in the shire;

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- (i) a person who is assisting or is acting under the direction or control of a person authorised by paragraph (g) or (h) to reside in the Shire of Aurukun or, as the case may be, the Shire of Mornington, whether or not such last mentioned person resides in the shire.

20 Entry upon and temporary stay in shires

The following persons are authorised to enter and to be in the Shire of Aurukun or the Shire of Mornington and to remain therein until the purpose of their entry to the shire is fulfilled—

- (a) the Governor-General and the Governor;
- (b) a person whose purpose in the shire is to bring to residents of the shire medical aid;
- (c) a person whose purpose in the shire is to instruct himself or herself on affairs within the shire as a member of the Legislative Assembly or of either House of the Parliament of the Commonwealth;
- (d) a person whose purpose in the shire is to campaign as a bona fide candidate for election to the Legislative Assembly or either House of the Parliament of the Commonwealth at an election for which a writ that requires its holding has been duly issued;
- (e) a person who is assisting or is acting under the direction or control of a person referred to in paragraphs (a) to (d), if such last mentioned person is in the shire.

21 Local laws may regulate presence in shires

- (1) The Council of the Shire of Aurukun or the Council of the Shire of Mornington may make local laws, under section 28(1) of the *Local Government Act 2009*, that authorise persons of a stated class to enter, be in or reside in its area.
- (2) The Council of the Shire of Aurukun or the Council of the Shire of Mornington must not make a local law mentioned in

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subsection (1) in respect of Aboriginal land in its area unless—

- (a) the grantees of the land—
 - (i) have consented to the proposed local law; and
 - (ii) have explained to the Aboriginal people particularly concerned with the land the nature, purpose and effect of the proposed local law; and
 - (b) the Aboriginal people have been given adequate opportunity to express their views on, and are generally in agreement with, the proposed local law; and
 - (c) it has subsequently given the Aboriginal people notice of not less than 1 month of its intention to make the local law.
- (3) If land immediately before becoming Aboriginal land was subject to a local law made by the Council of the Shire of Aurukun or the Council of the Shire of Mornington under this section, the local law continues in force, but expires 1 year after the land becomes Aboriginal land.

23 Removal from shires

- (1) A police officer or community police officer may remove, from any part of a local government area to which this part applies, a person who is not permitted under this part to be in the area.
- (2) It is lawful for a community police officer exercising or attempting to exercise a power under subsection (1), and anyone helping the community police officer, to use reasonably necessary force to exercise the power.

Note—

See also the *Police Powers and Responsibilities Act 2000*, section 615 (Power to use force against individuals).

- (3) The force a community police officer may use under this section does not include force likely to cause grievous bodily harm to a person or the person's death.

25 Person not to be in shires without authority

- (1) A person shall not be in the Shire of Aurukun or the Shire of Mornington unless the person is authorised by this Act or local laws of the council of the shire.
- (2) A person who is authorised to enter, be in or reside in either of them the Shire of Aurukun or the Shire of Mornington shall not, by reason of that authority alone, be authorised to enter, be in or reside in the other of the said shires.

26 Preservation of Aborigines' hunting and gathering rights

- (1) Subject to the *Nature Conservation Act 1992*, sections 62 and 93, and, for paragraph (a), subject also to the *Animal Care and Protection Act 2001*, but despite the provisions of any other Act, an Aborigine who lawfully resides in the Shire of Aurukun or the Shire of Mornington—
 - (a) may capture, have in possession, and kill within the shire any specimen of native fauna and consume the same to the extent necessary for the sustenance of the Aborigine and members of the Aborigine's family or household;
 - (b) may gather, dig and remove forest products, quarry material and similar material within the shire to the extent that the Aborigine requires the same for the Aborigine's domestic use.
- (2) An Aborigine must not enter Aboriginal land for a purpose mentioned in subsection (1) unless the Aborigine is entitled or permitted to enter the land under Aboriginal tradition.

27 Mineral rights in shires

From a grant made pursuant to section 3(1) there shall be reserved to the Crown—

- (a) all gold and minerals within the meaning of the *Mineral Resources Act 1989* and all mines of gold and minerals on or below the surface of the demised land;

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- (b) all petroleum within the meaning of the *Petroleum Act 1923* on or below the surface of the demised land;
- (c) the free right of access, including ingress, egress and regress into, upon, over and out of the demised land for the purpose of searching for or working gold and minerals or mines of gold or minerals or of searching for or conducting the operations of obtaining petroleum;
- (d) all rights of way for access and for pipe lines and conveyors and for other purposes requisite for obtaining and conveying petroleum, gold, minerals, ore and other material from the demised land.

28 Forestry rights in shires

- (1) From a grant made pursuant to section 3(1) there shall be reserved to the Crown all forest products and quarry material within the meaning of the *Forestry Act 1959*, which Act shall apply to the demised land as if it were a Crown holding within the meaning of that Act.
- (2) Notwithstanding the provisions of the *Forestry Act 1959* the Council of the Shire of Aurukun and the Council of the Shire of Mornington may authorise the gathering, digging and removal of forest products and quarry material on or in the demised land for the purpose of improving the demised land or of using the same on the demised land and the same may be gathered, dug and removed to the extent duly authorised without the payment of royalty in respect thereof.

29 Restriction on councils' power over land

Notwithstanding the provisions of the *Local Government Act 2009*, the Council of the Shire of Aurukun or the Council of the Shire of Mornington is not empowered—

- (a) to sublet the land to which a grant made pursuant to section 3(1) relates or any part of the demised land or to create any interest in the demised land or any part thereof less than the interest held by it under such grant;

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- (b) to sell or otherwise dispose of the interest in the demised land held by it under such grant;
 - (c) to grant any licence to occupy or other right to exclusive possession in the demised land or any part thereof;
 - (d) to mortgage or otherwise charge the interest in the demised land held by it under such grant;
 - (e) to subdivide or agree to the subdivision of the demised land or any part thereof;

save in accordance with proposals submitted by the council or, as the case may be, the body corporate to the Minister and approved by the Governor in Council.

Part 5A Resumption of leases

33A Definitions for pt 5A

In this part—

Acquisition Act means the *Acquisition of Land Act 1967*.

compensation claimant see section 33E(1).

constructing authority means a constructing authority under the Acquisition Act.

lease means a lease granted under section 3(1).

33B Resumption of lease

- (1) A lease or part of a lease may be resumed by order in council.
- (2) However, a lease or part of a lease may be resumed only for a relevant purpose.
- (3) The resumption may be for any constructing authority.
- (4) An order in council under subsection (1) is not subordinate legislation.

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(5) In this section—

relevant purpose means any purpose for which land may be taken under the Acquisition Act by a constructing authority, other than a purpose under—

- (a) the *State Development and Public Works Organisation Act 1971*; or
- (b) the *Petroleum and Gas (Production and Safety) Act 2004*.

33C Effect of resumption

If a lease or part of a lease is resumed under this part, the land the subject of the interest comprising the lease or the part of the lease becomes unallocated State land and is free of any interest or obligation arising under the lease.

33D Service of order in council

- (1) The Minister must, immediately after the order in council is gazetted, serve a copy of it on each person who has a registered interest in the lease affected by the resumption.
- (2) However, failure to comply with subsection (1) does not affect the validity of the order in council.

33E Compensation under Acquisition Act

- (1) Each person who has a lawful interest in the lease or the part of the lease that is resumed (a *compensation claimant*) has a right to claim compensation, under the Acquisition Act, section 12(5), (5A) and (5B) and part 4, as if the interest had been taken under that Act.
- (2) For subsection (1), the Acquisition Act applies with the following changes—
 - (a) a reference to a constructing authority is a reference to the State;

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- (b) a reference to the owner of land is a reference to the lessee of the lease affected by the resumption;
 - (c) for section 24(2A) of the Act, a compensation claimant refers the claim for compensation to the Land Court by filing in the office of the registrar of the court—
 - (i) a copy of the claim given by the claimant to the State; and
 - (ii) a copy of the order in council that effected the resumption;
 - (d) the reference in section 24(5) of the Act to the date of the gazette containing the gazette resumption notice taking the land is taken to be a reference to the date the order in council was gazetted;
 - (e) any other necessary changes.
- (3) This section does not apply to a compensation claimant entitled to claim compensation under section 33G.

33F Revoking a resumption

- (1) The resumption may be revoked by repealing the order in council effecting the resumption.
- (2) The revocation may be made only before compensation has been paid or decided by the Land Court under the Acquisition Act as applied under section 33E.
- (3) On repeal of the order in council, the resumption is taken not to have happened.

33G Compensation by Minister if resumption is revoked

- (1) If the resumption is revoked—
 - (a) a compensation claimant is entitled to apply to the Minister for compensation only for the loss, reasonable costs and expenses incurred by the claimant in relation to the resumption before it was revoked; and

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- (b) the amount of compensation payable to the compensation claimant is the amount decided by the Minister that the Minister considers just and reasonable.
- (2) The Minister must give notice of the decision about payment of compensation under this section to the compensation claimant.
- (3) If the Minister has not decided an application for compensation under this section within 28 days after receiving the application, the Minister is taken to have decided to refuse to pay any compensation.
- (4) If the Minister refuses to pay compensation or decides an amount of compensation less than the amount sought by the compensation claimant, the notice of the decision must state—
 - (a) the reasons for the decision; and
 - (b) that the compensation claimant may appeal to the Land Court against the decision within 28 days of receiving the notice; and
 - (c) how to appeal.

33H Appeal against decision under s 33G

- (1) A person the subject of a decision under section 33G about an amount payable to the person may appeal to the Land Court against the decision.
- (2) An appeal is started by filing written notice of appeal with the registrar of the Land Court.
- (3) The person must give a copy of the notice of appeal to the chief executive.
- (4) The notice of appeal must be filed within 28 days after the person receives notice of the decision.
- (5) However, the Land Court may, at any time within the 28 days, extend the period for making the appeal.

- (6) The appeal is by way of rehearing, unaffected by the decision, on the material before the Minister and any further evidence allowed by the Land Court.

33I Powers of Land Court on appeal

- (1) In deciding the appeal, the Land Court has the same powers as the Minister.
- (2) The Land Court may—
- (a) confirm the decision; or
 - (b) set aside the decision and substitute another decision; or
 - (c) set aside the decision and return the issue to the Minister with directions the court considers appropriate.
- (3) If the Land Court substitutes another decision, the substituted decision is, other than for the purpose of an appeal under this part, taken to be the decision of the Minister.

Part 6 Miscellaneous

34 Regulation-making power

The Governor in Council may make regulations under this Act.

Part 7 Validating and transitional provisions

Division 1 Validating provision

35 Validation of particular charges

- (1) This section applies to a charge that, before the commencement of this section, the Council of the Shire of Aurukun or the Council of the Shire of Mornington, by resolution, purported to make and levy on residents in its shire.
- (2) On the commencement, the charge is taken to be, and to always have been, validly made and levied.

Division 2 Transitional provisions for Community Services Legislation Amendment Act 2002

36 Definitions for div 2

In this division—

community justice group means the community justice group established under the *Community Services (Aborigines) Act 1984*, part 3A, for the Shire of Aurukun.

Editor's note—

Community Services (Aborigines) Act 1984, part 3A was renumbered as part 5 under that Act, section 87.

law council means the Aurukun Alcohol Law Council established under the repealed part.

new dry place provisions means the *Community Services (Aborigines) Act 1984*, part 3B.

Editor's note—

Community Services (Aborigines) Act 1984, part 3B was renumbered as part 6 under that Act, section 87.

repeal means the repeal of part 6 of this Act by the *Community Services Legislation Amendment Act 2002*.

repealed part means part 6 of this Act as in force before its repeal.

shire council means the Council of the Shire of Aurukun.

37 Law council dissolved

On the repeal, the law council is dissolved.

38 Assets and liabilities

On the repeal, assets and liabilities of the law council immediately before the repeal vest in the shire council.

39 Application to declare dry place

- (1) This section applies if, before the repeal—
 - (a) an application under the repealed part for a place to be declared to be a dry place had been made to the law council; and
 - (b) the law council had not given notice of the proposal under the repealed part.
- (2) The community justice group must deal with the application under the new dry place provisions as if the application were made under the provisions.

40 Notice of proposal to declare dry place

- (1) This section applies if, before the repeal, the law council—
 - (a) had, under the repealed part, given notice of a proposal to declare a place to be a dry place; but

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- (b) had not, under the repealed part, declared the place to be a dry place.
- (2) The community justice group must deal with the matter, including, considering any objections and submissions to the proposal, under the new dry place provisions as if the proposal were made and notified under the provisions.

41 Notice about dry place declaration

- (1) This section applies if, before the repeal, the law council—
 - (a) had, under the repealed part, declared a place to be a dry place; but
 - (b) had not, under the repealed part, displayed notice of the declaration.
- (2) The declaration is taken to be a declaration by the community justice group, under the new dry place provisions, of the place as a dry place and the community justice group must display notice of the declaration under the provisions as if it were made under the provisions.

42 Dry place declaration continues in force

- (1) This section applies if—
 - (a) under the repealed part, the law council declared a place to be a dry place; and
 - (b) the declaration was in force immediately before the repeal.
- (2) The declaration is taken to be a declaration by the community justice group, under the new dry place provisions, of the place as a dry place.

43 Reporting requirements

- (1) Within 30 days after the repeal, the chief executive officer of the Shire of Aurukun must—

- (a) prepare a report on the law council's activities for the reporting period; and
 - (b) give the report to the shire council.
- (2) As soon as practicable after giving the report to the shire council, the chief executive officer must—
- (a) publish a notice in a newspaper circulating generally in the shire; and
 - (b) display a notice in a prominent place in the township of Aurukun.
- (3) The notices must advise that copies of the report are open for inspection, or available, free of charge at the shire council's office.
- (4) The shire council's annual report prepared under the *Local Government Act 2009* for the financial year that includes the reporting period must contain the chief executive officer's report.
- (5) In this section—

reporting period means the period starting on the first day of the financial year after the last financial year for which a report was prepared under repealed section 56 and ending on the day before the repeal.

Schedule 1 Conditions and reservations

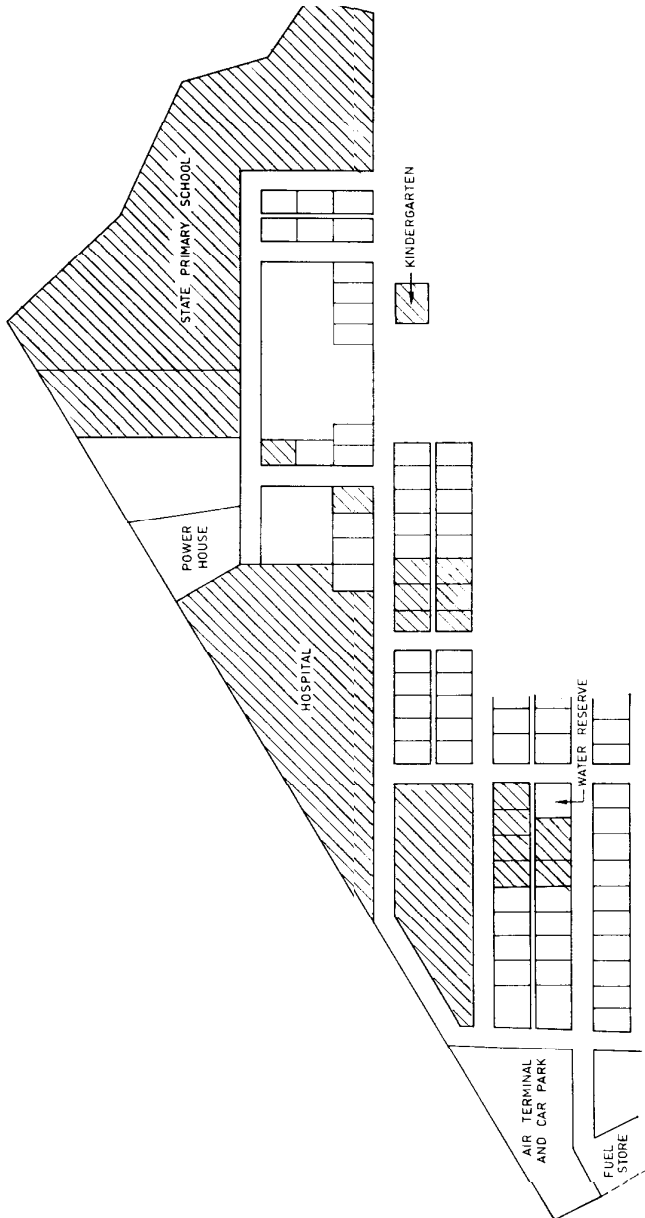
section 3(3)

- 1 The term shall be 50 years commencing on the date of the grant.
- 2 The rent shall be \$1 per year, if demanded.
- 3 The area of the demised land shall be defined in the instrument of lease by reference to approximate distances and compass readings and by reference to a map deposited in the department in Brisbane.
- 4 The boundary of the demised land shall extend to and shall be the high water mark at mean spring tides of the main sea.
- 5 The lessee shall maintain the airstrip on the demised land in good order and condition and shall permit the use of the airstrip by commercial aircraft and by other aircraft on reasonable terms and conditions.
- 6 The lessee shall maintain the demised land free from noxious plants and animal pests.
- 7 The lessee shall not interfere with forest products or remove quarry material within the meaning of those terms in the *Forestry Act 1959* on or in the demised land without the Minister's permission except under the authority of the *Local Government (Aboriginal Lands) Act 1978* or under the authority of and in accordance in every respect with a permit, licence, agreement or contract granted or made under the *Forestry Act 1959*.
- 8 The lease shall be subject to such reservations as are authorised by the *Local Government (Aboriginal Lands) Act 1978* and are specified in the instrument of lease and to such reservations as are required by that Act, whether or not so specified.
- 9 The lease shall contain such provisions as the Governor in Council considers necessary to secure, for the benefit of Aborigines who reside on the demised land, preservation of

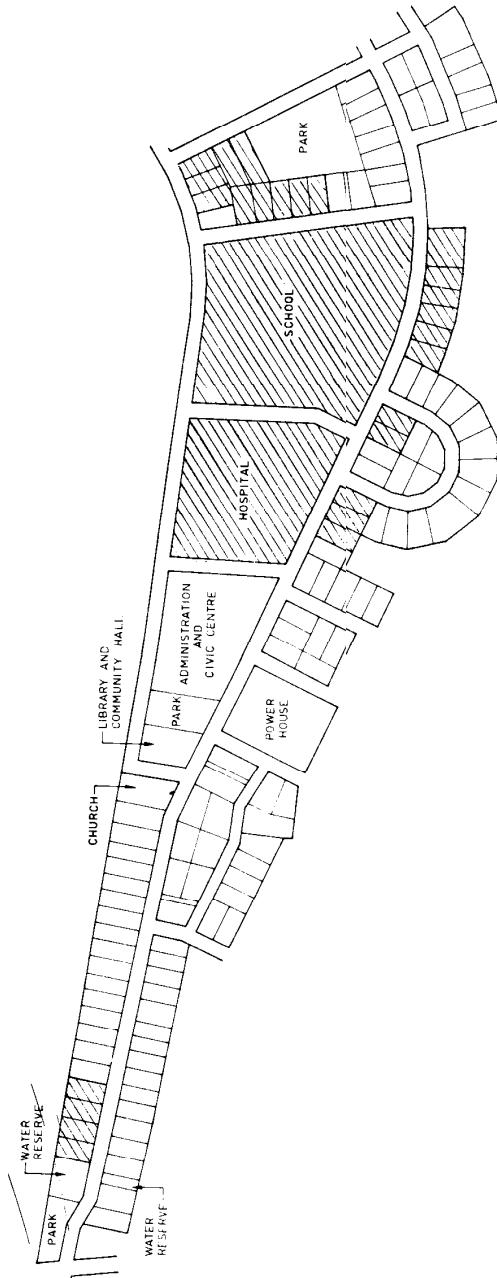
their traditional rights, use and occupancy of the demised land enjoyed by them as at 6 April 1978.

- 10 Such other conditions and reservations as the Governor in Council thinks fit to provide for any matter not inconsistent with the conditions or reservations set out in this schedule or with the *Local Government (Aboriginal Lands) Act 1978*.

Schedule 2 Township of Aurukun



Schedule 3 Township of Mornington Island



Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 21 September 2012. Future amendments of the Aurukun and Mornington Shire Leases Act 1978 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
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 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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 rv	1993 Act No. 70	26 March 1994	27 May 1994
2 rv	1995 Act No. 58	1 December 1995	7 June 1996
2A rv	1999 Act No. 19	30 April 1999	4 June 1999
2B rv	1999 Act No. 30	16 June 1999	15 July 1999
2C rv	1999 Act No. 59	1 December 1999	14 December 1999
2D rv	2000 Act No. 5	1 July 2000	4 July 2000
3 rv	2001 Act No. 45	15 July 2001	31 July 2001
3A rv	2002 Act No. 17	17 May 2002	29 May 2002

Reprint No.	Amendments included	Effective	Notes
3B rv	2002 Act No. 46	24 September 2002	
4	2002 Act No. 46	30 December 2002	
4A rv	—	31 December 2003	provs exp 30 December 2003

Endnotes

Reprint No.	Amendments included	Effective	Notes
4B	2004 Act No. 5	13 May 2004	
4C	2004 Act No. 53	29 November 2004	
4D	2004 Act No. 37	1 January 2005	
4E	2006 Act No. 31	1 June 2006	
4F rv	2000 Act No. 5 (amd 2006 Act No. 26)	21 July 2006	R4F rv withdrawn, see R5
5	—	21 July 2006	
5A	2007 Act No. 59	15 March 2008	
5B	2008 Act No. 30	1 July 2008	
5C	2008 Act No. 29	18 July 2008	
5D	2009 Act No. 46	3 November 2009	
5E	2009 Act No. 17	1 July 2010	
5F	2011 Act No. 26	9 September 2011	R5F withdrawn, see R6
6	—	9 September 2011	
6A	2012 Act No. 23	21 September 2012	

5 List of legislation

Aurukun and Mornington Shire Leases Act 1978 No. 6 (prev Local Government (Aboriginal Lands) Act 1978)

date of assent 22 May 1978
 commenced on date of assent
 amending legislation—

Local Government (Aboriginal Lands) Act Amendment Act 1978 No. 87 pt 2

date of assent 15 December 1978
 commenced 18 January 1979 (proc pubd gaz 13 January 1979 p 88)

Local Government (Aboriginal Lands) Act Amendment Act 1981 No. 106

date of assent 16 December 1981
 commenced on date of assent

Local Government (Aboriginal Lands) Act Amendment Act 1990 No. 76

date of assent 2 November 1990
 commenced on date of assent

Aboriginal and Torres Strait Islander Land (Consequential Amendments) Act 1991 No. 76 pts 1, 9

date of assent 21 November 1991
 ss 1–2 commenced on date of assent
 remaining provisions commenced 21 December 1991 (1991 SL No. 223)

Nature Conservation Act 1992 No. 20 ss 1–2, 159 sch 2 (this Act is amended, see amending legislation below)

date of assent 22 May 1992
 ss 1–2 commenced on date of assent
 remaining provisions commenced 19 December 1994 (1994 SL No. 472)

amending legislation—

Nature Conservation Amendment Act 1994 s 2 sch (amends 1992 No. 20 above)

date of assent 14 September 1994

commenced on date of assent

Local Government Act 1993 No. 70 ss 1–2, 804 sch

date of assent 7 December 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 26 March 1994 (see s 2(5))

Local Government (Aboriginal Lands) Amendment Act 1995 No. 16

date of assent 11 April 1995

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1995 (1995 SL No. 326)

Statute Law (Minor Amendments) Act 1995 No. 50 ss 1, 3 sch

date of assent 22 November 1995

commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

Local Government Legislation Amendment Act (No. 3) 1997 No. 76 pts 1, 4

date of assent 1 December 1997

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1999 No. 19 ss 1–3 sch

date of assent 30 April 1999

commenced on date of assent

Local Government and Other Legislation Amendment Act 1999 No. 30 ss 1, 2(4), pt 5

date of assent 16 June 1999

commenced on date of assent (see s 2(4))

Road Transport Reform Act 1999 No. 42 ss 1–2(1), 54(3) sch pt 3

date of assent 2 September 1999

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1999 (see s 2(1))

Local Government and Other Legislation Amendment Act (No. 2) 1999 No. 59 ss 1, 2(7) pt 10

date of assent 29 November 1999

commenced on date of assent

Police Powers and Responsibilities Act 2000 No. 5 ss 1–2, 373 sch 3

date of assent 23 March 2000

ss 1–2, 373 commenced on date of assent (see s 2(2))

remaining provisions commenced 1 July 2000 (see s 2(1), (3) and 2000 SL No. 174)

Corporations (Ancillary Provisions) Act 2001 No. 45 ss 1–2, 29 sch 3

date of assent 28 June 2001

Endnotes

ss 1–2 commenced on date of assent
sch 3 commenced 15 July 2001 (see s 2(2) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)
remaining provision commenced immediately before 15 July 2001 (see s 2(1) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)

Revenue and Other Legislation Amendment Act 2002 No. 17 ss 1, 2(8), pt 8

date of assent 17 May 2002
commenced on date of assent (see s 2(8))

Community Services Legislation Amendment Act 2002 No. 46 pts 1, 4, s 33(2) sch

date of assent 24 September 2002
ss 1–2 commenced on date of assent
ss 34, 36, 38–39 commenced 30 December 2002 (2002 SL No. 380)
remaining provisions commenced on date of assent

Aurukun Associates Agreement Repeal Act 2004 No. 5 ss 1, 8 sch

date of assent 13 May 2004
commenced on date of assent

Local Government (Community Government Areas) Act 2004 No. 37 ss 1–2, 86 sch 1

date of assent 27 October 2004
ss 1–2 commenced on date of assent
remaining provisions commenced 1 January 2005 (2004 SL No. 266)

Statute Law (Miscellaneous Provisions) Act 2004 No. 53

date of assent 29 November 2004
commenced on date of assent

**Police Powers and Responsibilities Act 2000 No. 5 s 810 sch 4 (prev s 459A sch 3A)
(this Act is amended, see amending legislation below)**

amending legislation—

**Police Powers and Responsibilities and Other Acts Amendment Act 2006
No. 26 ss 1–2, 84, 86 (amends 2000 No. 5 above)**

date of assent 1 June 2006
ss 1–2 commenced on date of assent
remaining provisions commenced 21 July 2006 (2006 SL No. 185)

Mineral Resources and Other Legislation Amendment Act 2006 No. 31 s 1, pt 3

date of assent 1 June 2006
commenced on date of assent

**Local Government and Other Legislation (Indigenous Regional Councils)
Amendment Act 2007 No. 59 pts 1, 10**

date of assent 22 November 2007
ss 1–2 commenced on date of assent
remaining provisions commenced 15 March 2008 (2007 SL No. 336)

Aboriginal and Torres Strait Islander Land Amendment Act 2008 No. 29 pts 1, 5

date of assent 21 May 2008

ss 1–2 commenced on date of assent

remaining provisions commenced 18 July 2008 (2008 SL No. 233)

Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) and Other Acts Amendment Act 2008 No. 30 ss 1–2(1), pt 4

date of assent 21 May 2008

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2008 (see s 2(1))

Local Government Act 2009 No. 17 ss 1, 2(4), 331 sch 1

date of assent 12 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2010 (2010 SL No. 122)

South-East Queensland Water (Distribution and Retail Restructuring) and Natural Resources Provisions Act 2009 No. 46 s 1, ch 7 pt 3

date of assent 3 November 2009

commenced on date of assent

Aboriginal Land and Torres Strait Islander Land and Other Legislation Amendment Act 2011 No. 26 pts 1, 5

date of assent 29 August 2011

ss 1–2 commenced on date of assent

remaining provisions commenced 9 September 2011 (2011 SL No. 173)

Animal Care and Protection and Other Legislation Amendment Act 2012 No. 23 pts 1, 4

date of assent 21 September 2012

commenced on date of assent

6 List of annotations

This reprint has been renumbered—see table of renumbered provisions in endnote 8.

Long title amd 2011 No. 26 s 95

Short title

s 1 sub 2011 No. 26 s 96

Definitions

prov hdg sub 1995 No. 16 s 4(1)

s 2 prev s 2 amd 1981 No. 106 s 2

om R1 (see RA s 36)

pres s 2 amd 1993 No. 70 s 804 sch

def “**Aboriginal council**” sub 1995 No. 58 s 4 sch 1

om 2004 No. 37 s 86 sch 1

def “**Aboriginal land**” ins 1991 No. 76 s 41

def “**Aboriginal police officer**” ins 1995 No. 16 s 4(3)

Endnotes

- om 2011 No. 26 s 97
- def “**Aborigine**” om 1993 No. 70 s 804 sch
- def “**Acquisition Act**” ins 2008 No. 29 s 69
- def “**compensation claimant**” ins 2008 No. 29 s 69
- def “**constructing authority**” ins 2008 No. 29 s 69
- def “**lease**” ins 2008 No. 29 s 69
- def “**liquor**” ins 1981 No. 106 s 3
 - om 1995 No. 16 s 4(2)
- def “**liquor provisions**” ins 2002 No. 46 s 34
 - amd 2004 No. 53 s 2 sch; 2004 No. 37 s 86 sch 1; 2007 No. 59 s 87; 2008 No. 30 s 38
 - om 2011 No. 26 s 97
- def “**Minister**” om 1993 No. 70 s 804 sch
- def “**police officer in charge**” ins 2002 No. 46 s 34
 - om 2011 No. 26 s 97
- def “**public purpose**” ins 1995 No. 58 s 4 sch 1
- def “**public purposes**” om 1995 No. 58 s 4 sch 1

PART 2—GRANT OF LEASE

pt hdg amd 2004 No. 37 s 86 sch 1

Grant of leases to councils

s 3 amd 1978 No. 87 s 5; 1995 No. 58 s 4 sch 1; 2011 No. 26 s 98

Extension of term

s 3A ins 2009 No. 46 s 117

Grant to include improvements

s 4 prev s 4 om 1993 No. 70 s 804 sch
pres s 4 amd 1978 No. 87 s 6

Roads within shires

s 4A ins 2011 No. 26 s 99

Councils to be trustees

s 5 prev s 5 om 1993 No. 70 s 804 sch
pres s 5 amd 2002 No. 46 s 33(2) sch

PART 3—LOCAL GOVERNMENT AREAS AND COUNCILS

pt hdg om 2011 No. 26 s 100

Shire of Aurukun

s 6 amd 1993 No. 70 s 804 sch; 1995 No. 58 s 4 sch 1; 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 100

Shire of Mornington

s 7 amd 1995 No. 58 s 4 sch 1; 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 100

Copies of maps to be held

s 8 amd R1 (see RA s 39)
om 2011 No. 26 s 100

Aurukun and Mornington Shire Councils

s 9 amd 1978 No. 87 s 7; 1993 No. 70 s 804 sch; 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 100

Application of Local Government Act

s 10 amd 1995 No. 58 s 4 sch 1; 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 100

Special accounting provision for particular payments

s 11 ins 2002 No. 46 s 35
amd 2004 No. 53 s 2 sch
om 2008 No. 30 s 39

Modification of power to dissolve shire councils

s 12 sub 1993 No. 70 s 804 sch
amd 1999 No. 30 s 26; 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 100

PART 4—COORDINATING AND ADVISORY COMMITTEES

pt hdg om 2011 No. 26 s 100

Appointment of committees

s 13 orig s 13 om 1993 No. 70 s 804 sch
prev s 13 om 2011 No. 26 s 100

Composition of committees

s 14 amd 1995 No. 58 s 4 sch 1; 2002 No. 46 s 33(2) sch; 2004 No. 37 s 86 sch 1;
2007 No. 59 s 88
om 2011 No. 26 s 100

Appointment of substitute members

s 15 orig s 15 om 1993 No. 70 s 804 sch
prev s 15 om 2011 No. 26 s 100

Approval of nominees

s 16 om 2011 No. 26 s 100

Functions of committees

s 17 amd 1995 No. 58 s 4 sch 1; 2002 No. 46 s 33(2) sch; 2004 No. 37 s 86 sch 1;
2007 No. 59 s 89
om 2011 No. 26 s 100

Assistance to councils

s 18 amd 1995 No. 58 s 4 sch 1
om 2011 No. 26 s 100

Application of pt 5

s 18A ins 2007 No. 59 s 90
amd 2011 No. 26 s 101

Right of residence in shires

s 19 amd 1978 No. 87 s 8

Endnotes

Entry upon and temporary stay in shires

s 20 amd 2011 No. 26 s 102

Local laws may regulate presence in shires

s 21 amd 1991 No. 76 s 42; 2002 No. 46 s 33(2) sch; 2009 No. 17 s 331 sch 1;
2011 No. 26 s 103

Councils may levy charge on residents of residential premises

s 22 ins 1999 No. 59 s 56
amd 2004 No. 53 s 2 sch
om 2011 No. 26 s 104

Removal from shires

s 23 amd 1978 No. 87 s 9; 2000 No. 5 s 373 sch 3
sub 2011 No. 26 s 105

Reason for exclusion—right of appeal

s 24 amd 1995 No. 58 s 4 sch 1
om 2011 No. 26 s 106

Preservation of Aborigines' hunting and gathering rights

s 26 amd 1991 No. 76 s 43; 1992 No. 20 s 159 sch 2 (amd by 1994 No. 42 s 2 sch);
2012 No. 23 s 12

Mineral rights in shires

s 27 amd 1995 No. 16 s 5; 2004 No. 5 s 8 sch; 2006 No. 31 s 8

Restrictions on councils' power over land

s 29 amd 2002 No. 46 s 33(2) sch; 2009 No. 17 s 331 sch 1; 2011 No. 26 s 107

Law and order in shires

s 30 amd 1995 No. 16 s 6; 2002 No. 46 s 36; 2000 No. 5 s 810 sch 4 (amd 2006
No. 36 s 86)
om 2011 No. 26 s 108

Indemnification of Aboriginal police officer for liability for tort

s 31 ins 1995 No. 16 s 7
om 2011 No. 26 s 108

Appointment of chief executive officer of councils

s 32 amd 2009 No. 17 s 331 sch 1
om 2011 No. 26 s 108

Roads within shires

s 33 (prev s 37) ins 1978 No. 87 s 12
renum 1981 No. 106 s 5
amd 1993 No. 70 s 804 sch; 1995 No. 16 s 11; 1999 No. 42 s 54(3) sch pt 3
om 2011 No. 26 s 108

PART 5A—RESUMPTION OF LEASES

pt 5A (ss 33A–33I) ins 2008 No. 29 s 70

**PART 6—CONTROL OF POSSESSION OR CONSUMPTION OF ALCOHOL AT
AURUKUN**

pt hdg prev pt 6 hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Regulation-making power

s 34 ins 1995 No. 16 s 12

Division 1—Preliminary

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 2—Aurukun Alcohol Law Council

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 3—Controlled and dry places

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 4—Permits

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 5—Authorisation of Aboriginal police officers

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 6—Authorised officer's entry to places and vehicles

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 7—Power to seize evidence

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 8—General powers

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 9—Other enforcement matters

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 10—Review of decisions

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 11—Appeals

div hdg ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Division 12—Miscellaneous

div hdg ins 1995 No. 16 s 12

Endnotes

om 2002 No. 46 s 38

Division 13—Review of part

div hdg ins 1995 No. 16 s 12
sub 1999 No. 30 s 34
om 2002 No. 46 s 38

PART 7—VALIDATING AND TRANSITIONAL PROVISIONS

pt hdg ins 1999 No. 59 s 57
sub 2002 No. 46 s 33(2) sch

Division 1—Validating provision

div hdg ins 2002 No. 46 s 33(2) sch

Validation of particular charges

s 35 ins 1999 No. 59 s 57
amd 2004 No. 53 s 2 sch

Division 2—Transitional provisions for Community Services Amendment Act 2002

div hdg ins 2002 No. 46 s 39

Definitions for div 2

s 36 prev s 36 ins 1978 No. 87 s 11
amd 1990 No. 76 s 2; 1993 No. 70 s 804 sch
om 1995 No. 16 s 8
pres s 36 ins 2002 No. 46 s 39

Law council dissolved

s 37 prev s 37 ins 1981 No. 106 s 4
om 1995 No. 16 s 9
pres s 37 ins 2002 No. 46 s 39

Assets and liabilities

s 38 prev s 38 ins 1981 No. 106 s 4
om 1995 No. 16 s 10
pres s 38 ins 2002 No. 46 s 39

Application to declare dry place

s 39 ins 2002 No. 46 s 39

Notice of proposal to declare dry place

s 40 prev s 40 ins 1995 No. 16 s 12
om 2002 No. 46 s 38
pres s 40 ins 2002 No. 46 s 39

Notice about dry place declaration

s 41 prev s 41 ins 1995 No. 16 s 12
om 2002 No. 46 s 38
pres s 41 ins 2002 No. 46 s 39

Dry place declaration continues in force

prov hdg amd 1999 No. 30 s 27(1)
s 42 prev s 42 ins 1995 No. 16 s 12
amd 1999 No. 30 s 27(2)

om 2002 No. 46 s 38
pres s 42 ins 2002 No. 46 s 39

Reporting requirements

s 43 prev s 43 ins 1995 No. 16 s 12
om 2002 No. 46 s 38
pres s 43 ins 2002 No. 46 s 39
amd 2009 No. 17 s 331 sch 1

Transitional regulation-making power

s 44 orig s 44 ins 1995 No. 16 s 12
om 2002 No. 46 s 38
prev s 44 ins 2002 No. 46 s 39
exp 30 December 2003 (see s 44)

Law council is body corporate etc.

s 45 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Excluded matter for Corporations legislation

s 45A ins 2001 No. 45 s 29 sch 3
om 2002 No. 46 s 38

Recognised traditional groups

s 46 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Composition of law council

s 47 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Nominees of recognised traditional groups

s 48 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Traditional groups to tell Minister of nominations etc.

s 49 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Notification by Minister

s 50 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Meetings of law council

s 51 ins 1995 No. 16 s 12
amd 1999 No. 30 s 28
om 2002 No. 46 s 38

Chairperson

s 52 ins 1995 No. 16 s 12
exp 30 June 1999 (see s 109)

Conduct of meetings

s 53 ins 1995 No. 16 s 12

Endnotes

om 2002 No. 46 s 38

Arriving at decisions

s 54 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Secretary

s 55 ins 1995 No. 16 s 12
amd 1999 No. 30 s 29
om 2002 No. 46 s 38

Delegation

s 55AA ins 2002 No. 46 s 37
om 2002 No. 46 s 38

Police officer may attend meetings

s 55A ins 1999 No. 30 s 30
om 2002 No. 46 s 38

Reporting requirements

s 56 ins 1995 No. 16 s 12
sub 1999 No. 30 s 31
om 2002 No. 46 s 38

Administrative support

s 57 ins 1995 No. 16 s 12
amd 1999 No. 30 s 32
om 2002 No. 46 s 38

Declarations

s 58 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Directions about controlled places

s 59 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Notice of proposal

s 60 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Objections and supporting submissions

s 61 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Notice about declarations

s 62 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Application for permit

s 63 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Consideration of application for permit

s 64 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Issue of permit

s 65 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Permit fees

s 66 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Possession or consumption of alcohol on controlled or dry place

s 67 ins 1995 No. 16 s 12
amd 2000 No. 5 s 373 sch 3
om 2002 No. 46 s 38

Police officer may authorise Aboriginal police officers to investigate

s 68 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Entry to places

s 69 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Consent to entry

s 70 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Warrants to enter

s 71 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Warrants—applications made other than in person

s 72 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

General powers after entering places

s 73 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Entry and search of vehicles etc.

s 74 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Powers to enable vehicle to be entered

s 75 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Power to seize evidence etc.

s 76 ins 1995 No. 16 s 12
amd 1995 No. 50 s 3 sch
om 2002 No. 46 s 38

Endnotes

Powers supporting seizure

s 77 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Receipt for seized things

s 78 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Forfeiture of seized things

s 79 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Return of seized things

s 80 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Access to seized things

s 81 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Power to require name and address

s 82 ins 1995 No. 16 s 12
amd 2000 No. 5 s 373 sch 3
om 2002 No. 46 s 38

Steps police officer may take for failure to give name and address

s 83 ins 1995 No. 16 s 12
om 2000 No. 5 s 373 sch 3

Power to require production of permits

s 84 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

False or misleading statements

s 85 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

False, misleading or incomplete documents

s 86 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Obstructing authorised officers

s 87 ins 1995 No. 16 s 12
amd 2000 No. 5 s 373 sch 3
om 2002 No. 46 s 38

Steps a police officer may take for obstruction

s 88 ins 1995 No. 16 s 12
om 2000 No. 5 s 373 sch 3

Impersonating authorised officers

s 89 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Forfeiture on conviction

s 90 ins 1995 No. 16 s 12
om 2002 No. 46 s 38

Dealing with forfeited things etc.

s 91 ins 1995 No. 16 s 12
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SCHEDULE 3—TOWNSHIP OF MORNINGTON ISLAND

ins 1978 No. 87 s 13(b)

7 Forms notified or published in the gazette

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