

12 GEO. VI. No. 12, 1948. *Foreign Governments (Titles to Land) Act.*

QUEENSLAND-BRITISH FOOD CORPORATION.

See AGRICULTURE.

REAL PROPERTY.

An Act to Empower Governments of Countries Outside the Commonwealth and Their Accredited Agents to Hold Land in Queensland for Diplomatic, Consular, and Official purposes.

12 GEO. VI.
No. 12.
FOREIGN
GOVERNMENTS
(TITLES TO
LAND) ACT
OF 1948.

[ASSENTED TO 1ST APRIL, 1948.]

BE it enacted by the King'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. This Act may be cited as “*The Foreign Governments (Titles to Land) Act of 1948.*” Short title.

2. Subject to this Act, the Government of any country outside the Commonwealth or any accredited agent of that Government may, notwithstanding any prohibition, disqualification, or limitation imposed by any Act or law, hold land in Queensland for any estate or interest therein (including any estate or interest in any leasehold from the Crown) for any diplomatic, consular, or official purpose of that Government or for the purpose of an official residence for any accredited agent of that Government or for all or any number of those purposes. Purposes for which foreign Governments may hold land.

3. Before the Government of any country outside the Commonwealth or any accredited agent of that Government acquires pursuant to this Act any estate or interest in any land (whether freehold or leasehold from the Crown) in Queensland it or he shall satisfy the Governor in Council that such land is required for a purpose or purposes specified in section two of this Act. Foreign Government to obtain authority of Governor in Council.

If so satisfied the Governor in Council may by Order in Council authorise such Government or accredited agent to hold such estate or interest in land for such purpose or purposes.

Registration
of title of
foreign
Government
to land.

4. (1.) The Registrar of Titles or, in the case of land held for an estate of leasehold from the Crown, the person or authority charged with the registration of instruments of title to such land, may, upon being satisfied that the Government of any country outside the Commonwealth or any accredited agent of that Government has acquired any estate or interest in land in Queensland and that the Governor in Council has authorised such Government or accredited agent to hold such estate or interest, register such Government or accredited agent as the holder of such estate or interest.

An accredited agent may be so registered by his official title or designation, in which case the person from time to time holding, or performing the functions of, the office to which such official title or designation applies shall for the purposes of this Act be the holder of the estate or interest registered in such official title or designation.

(2.) The Government of any country outside the Commonwealth or any accredited agent of that Government may (subject to every other party to the transaction being capable in law of being such party) at any time convey and transfer or otherwise deal with any estate or interest held by it or him in any land in Queensland.

(3.) Any transfer, instrument, or other document or writing whatsoever required to be executed for the purpose of conveying or transferring or otherwise dealing with any estate or interest in land to or from the Government of any country outside the Commonwealth may be executed for or on behalf of such Government by any accredited agent of that Government or by any person thereunto appointed by any such accredited agent.

(4.) A certificate under the hand of the Attorney-General or other Minister of the Crown for the time being administering this Act that any person named therein is the accredited agent of the country outside the Commonwealth specified in such certificate or that any person named therein is the person for the time being holding or performing the functions of the office to which an official title or designation specified in such certificate applies shall be sufficient proof to the Registrar of Titles or any person or authority charged with the registration of instruments of title to land held for an estate of leasehold from the Crown of any fact so certified.

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5. Where the Governor in Council is satisfied that any land held in any country outside the Commonwealth by, or by an accredited agent of, the Government of the Commonwealth for any diplomatic, consular, or official purpose of the Commonwealth is, by virtue of being so held, wholly or partly immune from all or any of the taxes and rates charged upon land under the laws of that country, then, for the purpose of granting a like immunity in this State, the Governor in Council may, by Order in Council published in the *Gazette*, exempt any land in Queensland held by, or by an accredited agent of, that country from liability to land tax, or rates, or both land tax and rates to such extent as he shall specify in such Order in Council.

Immunity
from land
tax and
rates.

6. The Government of any country outside the Commonwealth or any accredited agent of that Government shall in respect of any land held by it or him pursuant to this Act have and enjoy all rights and privileges which would be had and enjoyed by a private person if such land were held by such private person but, subject to the foregoing provisions of this section, and to the provisions of section five hereof, no right, privilege, or immunity excepting such rights, privileges, and immunities as by law or custom are accorded to diplomatic, consular, and official representatives of countries outside the Commonwealth, their families and employees, shall attach to, arise out of, or be claimable by any person whomsoever by reason of the holding by the Government of any country outside the Commonwealth or any accredited agent of that Government of any land in Queensland.

Extent of
application
of State
law.

Moreover subject to observing all such rights, privileges, and immunities as are by law or custom accorded to diplomatic, consular, and official representatives of countries outside the Commonwealth, their families and employees, all laws of this State shall, except as otherwise provided under this Act, be enforceable and may be enforced with respect to such land and persons and things therein or thereon to the same extent as such laws would be enforceable and could be enforced if such land were held by a private person.