

Queensland



ANNO TRICESIMO QUARTO

ELIZABETHAE SECUNDAE REGINAE



No. 27 of 1985

An Act to allay any doubts that may exist concerning certain
islands forming part of Queensland

[ASSENTED TO 15TH APRIL, 1985]

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:—

1. Short title. This Act may be cited as the *Queensland Coast Islands Declaratory Act 1985*.

2. Interpretation. In this Act, except where a contrary intention appears—

“Constitution Act” means the *Constitution Act of 1867* and that Act as amended from time to time;

“Crown lands legislation” means legislation of Queensland relating to the alienation, sale, letting, disposal and occupation of lands of the Crown within Queensland;

“disposal” means an exercise of a power conferred by Crown lands legislation whether by way of alienation, sale, leasing, letting, licensing, reservation and setting apart, grant in trust or in any other way whatsoever;

“the islands” means the islands referred to in the schedule to *The Queensland Coast Islands Act of 1879*.

3. Effect of annexation of islands to Queensland. For the purpose of removing any doubt that may exist as to the application to the islands of certain legislation upon their becoming part of Queensland, it is hereby declared that upon the islands being annexed to and becoming part of Queensland and subject to the laws in force in Queensland—

- (a) the islands were vested in the Crown in right of Queensland freed from all other rights, interests and claims of any kind whatsoever and became waste lands of the Crown in Queensland for the purposes of sections 30 and 40 of the Constitution Act;
- (b) the laws to which the islands became subject included the Crown lands legislation then and from time to time in force;
- (c) the islands could thereafter be dealt with as Crown lands for the purposes of Crown lands legislation then and from time to time in force in Queensland.

4. Disposals after annexation. Every disposal of the islands or part thereof purporting to be in pursuance of Crown lands legislation after the islands were annexed to and became part of Queensland shall be taken to have been validly made and to have had effect in law according to its tenor.

5. Claims to compensation. No compensation was or is payable to any person—

- (a) by reason of the annexation of the islands to Queensland;
- (b) in respect of any right, interest or claim alleged to have existed prior to the annexation of the islands to Queensland

or in respect of any right, interest or claim alleged to derive from such a right, interest or claim;

or

(c) by reason of any provision of this Act.