

**Queensland**



**Subordinate Legislation 1992 No. 395**

*Breakwater Island Casino Agreement Act 1984*

**BREAKWATER ISLAND CASINO  
AGREEMENT VARIATION ORDER 1992**

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**DEED OF VARIATION**

**Short title**

1. This order in council may be cited as the *Breakwater Island Casino Agreement Variation Order 1992*.

**Variation of formal agreement**

2. The variation of the formal agreement provided for in the Deed of Variation set out in the Schedule is approved.

## **SCHEDULE**

### **DEED OF VARIATION**

section 2

THIS DEED OF VARIATION is made the 25th day of November 1992.

BETWEEN: THE STATE OF QUEENSLAND (“the State”) of the first part,

AND: ANZ EXECUTORS & TRUSTEE COMPANY LIMITED (A.C.N. 006 132 332) a company incorporated in the State of Victoria and having its principal place of business in the State of Queensland at First Floor, 307 Queen Street, Brisbane (“the Trustee”) of the second part,

AND: BREAKWATER ISLAND LIMITED (A.C.N. 010 271 691) a company incorporated in the State of Queensland and having its registered office at Ground Floor, Garden Square, 643 Kessels Road, Upper Mount Gravatt, Brisbane, Queensland (“the Manager”) of the third part.

WHEREAS:

- A. The State, the Trustee and the Manager are the parties to the formal agreement;
- B. The *Breakwater Island Casino Agreement Act 1984* provides that the formal agreement may be varied pursuant to an agreement in writing between the Minister for and on behalf of the State of Queensland and the other parties to the formal agreement with the approval of the Governor in Council by order in council;
- C. The parties to the formal agreement have agreed that the formal agreement be varied in the manner herein provided.

## SCHEDULE (continued)

NOW THIS DEED WITNESSES and it is hereby agreed and declared as follows:-

1. This Deed of Variation is a variation of the formal agreement for the purposes of section 3 of the *Breakwater Island Casino Agreement Act 1984*.
2. The parties agree to amend the formal agreement by inserting after clause 68—

**‘68A.(1)** If the Governor in Council approves the appointment of a new trustee, the Minister must endorse the casino licence granted under clause 45 to show the new trustee as casino licensee.

**‘(2)** On endorsement of the casino licence, the new trustee is taken to be the holder of the casino licence under the Control Act.’.

IN WITNESS WHEREOF the parties have executed this Deed of Variation the day and year first above written.

SIGNED BY Keith Ernest De Lacy  
the Treasurer of the State of  
Queensland for and on behalf of the  
State of Queensland in the presence of:

K. De Lacy

K. R. Leyshon

A Justice of the Peace

GIVEN UNDER THE COMMON  
SEAL of ANZ EXECUTORS &  
TRUSTEE COMPANY LIMITED  
for use in Queensland by authority of  
the Board of Directors under the hand  
of Phillip Richard Winstone, a  
Director, who hereby certifies that the  
official seal was affixed at Brisbane on  
the 24th day of November, 1992, and  
Gina Colette Herbert in the presence of:

P. R. Winstone

G. C. Herbert

D. M. Uther

A Justice of the Peace

## SCHEDULE (continued)

THE COMMON SEAL of  
BREAKWATER ISLAND LIMITED  
was hereunto affixed by authority of a  
resolution of the Board of Directors in  
the presence of Roger Ronald Short,  
Director and Graham Andrew  
Johnston, Secretary

R. R. Short

G. A. Johnston

M. J. Whelan

A Justice of the Peace

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## ENDNOTES

1. Made by the Governor in Council on 10 December 1992.
2. Notified in the Gazette on 11 December 1992.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.