



Scout Association of Australia Queensland Branch Act 1975

Current as at 20 December 1996—revised edition

© State of Queensland 2024



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Scout Association of Australia Queensland Branch Act 1975

Contents

| | | Page |
|---|----------------------------------|------|
| 1 | Short title | 3 |
| 2 | Definitions | 3 |
| 3 | Construction of references | 3 |
| 4 | Vesting of assets etc. | 4 |
| 5 | Registration procedure | 5 |
| 6 | Exemption from stamp duty | 6 |

Scout Association of Australia Queensland Branch Act 1975

An Act to make provision for the vesting of certain property in the corporation styled the ‘Scout Association of Australia Queensland Branch’ and for related purposes

1 Short title

This Act may be cited as the *Scout Association of Australia Queensland Branch Act 1975*.

2 Definitions

In this Act—

corporation means the Scout Association of Australia, Queensland Branch Inc, incorporated under the *Associations Incorporation Act 1981*.

former corporation means the Scout Association of Australia Queensland Branch, incorporated by letters patent dated 15 August 1974 under the repealed *Religious Educational and Charitable Institutions Act 1861*.

3 Construction of references

(1) On and from the passing of this Act—

- (a) a reference to the former corporation, the Boy Scouts Association Queensland Branch or the Boy Scouts Association occurring in any will, codicil, court order, grant of any kind, instrument (including an instrument evidencing title to an estate or interest in land), document or other writing shall be read and construed as a reference to the corporation;

- (b) a devise or bequest made under a will or codicil and a gift evidenced by any instrument to or for the benefit of any local association, area, group or other body formed under the Policy Organization and Rules of the Scout Association of Australia shall be deemed to be a devise, bequest or, as the case may be, gift to or for the benefit of the corporation.
- (2) The provisions of subsection (1) apply according to their tenor in respect of a reference specified in paragraph (a) or in respect of a devise, bequest or gift specified in paragraph (b) whether the will, codicil, court order, grant, instrument, document or writing concerned was made before or is made after the passing of this Act but those provisions do not apply so as to reopen any matter or transaction that was concluded before the passing of this Act.
- (3) An action or proceeding by or against the Boy Scouts Association Queensland Branch or the Boy Scouts Association that was commenced prior to the passing of this Act and not completed at that date may be carried on and completed by or against the corporation.
- (3A) A legal proceeding by or against the former corporation that has not been finished before the commencement of this subsection may be continued and finished by or against the corporation.
- (4) Contracts, agreements, conveyances, deeds, leases, licences and other instruments or undertakings entered into by or made with the Boy Scouts Association Queensland Branch or the Boy Scouts Association before the passing of this Act shall, on and from that date to the extent that they were in force immediately before that date, be in force in favour of or against the corporation.

4 Vesting of assets etc.

- (1) On and from the passing of this Act—
 - (a) all real and personal property belonging to or vested in the Boy Scouts Association Queensland Branch;

-
- (b) all real and personal property situate in the State belonging to or vested in the Boy Scouts Association;
- shall by virtue of this Act and without any transfer or conveyance whatever vest in the corporation subject, however, to any mortgage, lien, trust or other interest affecting that property.
- (2) On the commencement of this subsection, the assets, rights and liabilities of the former corporation vest in the corporation.

5 Registration procedure

- (1) A person charged with keeping any register or record required or authorised by law to be kept in which is recorded a registration or notification of the former corporation, the Boy Scouts Association Queensland Branch or the Boy Scouts Association in respect of any property shall, upon production to the person of such instruments or other writings as are necessary and compliance with any other requirement the person considers proper and without requiring payment of any fee, amend that registration or notification by inserting therein reference to the corporation in the stead of reference to the former corporation, the Boy Scouts Association Queensland Branch or, as the case may be, the Boy Scouts Association and any other notation the person considers proper to explain any amendment so made.
- (2) If land or an interest in land is vested in the corporation under this Act, within 2 months after the corporation is incorporated under the *Associations Incorporation Act 1981*, the corporation must—
- (a) give the registrar of titles or anyone else who is required to keep a register about dealings in land a document mentioned in subsection (1); and
 - (b) comply with a requirement of the registrar of titles or other person about the registration or notification amendment mentioned in subsection (1).

Maximum penalty—10 penalty units.

6 Exemption from stamp duty

Stamp duty shall not be payable on any instrument or other writing used pursuant to section 5.