

**LAND ACQUISITION (CHARITABLE
INSTITUTIONS) REVESTING ACT.**

Act No. 43, 1958.

An Act to provide for the revesting of certain lands in the Parish of Manly Cove, County of Cumberland, resumed under the Land Acquisition (Charitable Institutions) Act, 1946, for the purposes of the New South Wales Institution for the Deaf, Dumb and the Blind; and for purposes connected therewith. [Assented to, 31st December, 1958.]

**Elizabeth II,
No. 43, 1958.**

WHEREAS by a notification of resumption under and in pursuance of the Land Acquisition (Charitable Institutions) Act, 1946, and the Public Works Act, 1912, published in the Government Gazette of the twenty-fourth day of December, one thousand nine hundred and fifty-four, the lands described in the Schedule to this Act were resumed for the purposes of the New South Wales Institution for the Deaf, Dumb and the Blind: And whereas those lands are not now required for those purposes and it is desired to revest the lands as if they had not been resumed: Be it therefore enacted by the Queen's Most Excellent Majesty, by

Preamble.

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No. 43, 1958. by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the “Land Acquisition (Charitable Institutions) Revesting Act, 1958”.

Revesting of lands in Part I of Schedule. **2.** On the commencement of this section—

(a) the lands described in Parts I and II of the Schedule to this Act shall revert in the persons who were entitled thereto immediately before the resumption referred to in the Preamble to this Act and for such estates and interests and with and subject to such rights as were subsisting in respect of the lands immediately before the resumption, and the lands shall be subject to all trusts, obligations, estates, interests, contracts, charges, rates, rights-of-way or other easements from which they were freed and discharged by the resumption as if the resumption had not taken place and shall also be subject to any interests in or equities binding on the compensation moneys created since the resumption which but for this Act may have been recoverable or payable;

(b) the Registrar-General shall cancel any entry or notification in the register book made by him pursuant to section 46A of the Real Property Act, 1900, as amended by subsequent Acts, in relation to the resumption referred to in the Preamble to this Act, in so far as the entry or notification relates to the land described in Part I of the Schedule to this Act and for the purpose of any dealing with that land any entry or notification so made pursuant to section 46A of the Real Property Act, 1900, as so amended, shall be deemed never to have been made.

Revesting of land in Part III of **3.** (1) (a) On the commencement of this subsection the land described in Part III of the Schedule to this Act shall revert in the person who was entitled thereto immediately before the resumption referred to in the Preamble to this Act and for such estates and interests and with and subject to such

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such rights as were subsisting in respect of the land immediately before the resumption, and the land shall be subject to all trusts, obligations, estates, interests, contracts, charges, rates, rights-of-way or other easements from which it was freed and discharged by the resumption as if the resumption had not taken place and shall also be subject to any interests in or equities binding on the compensation moneys created since the resumption which but for this Act may have been recoverable or payable. No. 43, 1958.

(b) The revesting effected, as on and from the eighteenth day of January, one thousand nine hundred and fifty-five, by paragraph (a) of this subsection shall not render or operate to render—

- (i) unlawful any act or thing done or omitted to be done after the revesting and before the day on which Her Majesty's assent to this Act is signified that would not have been unlawful had this Act not been enacted; or
- (ii) any person subject to any liability in respect of anything done or omitted to be done after the revesting and before the day on which Her Majesty's assent to this Act is signified or to any liability in respect of the period beginning on the revesting and ending on the day immediately preceding the day on which Her Majesty's assent to this Act is signified to which he would not have been subject had this Act not been enacted.

(c) Paragraph (a) of this subsection shall be deemed to have commenced on the eighteenth day of January, one thousand nine hundred and fifty-five.

(2) On the commencement of this subsection the Registrar-General shall cancel any entry or notification in the register book made by him pursuant to section 46A of the Real Property Act, 1900, as amended by subsequent Acts, in relation to the resumption referred to in the Preamble to this Act, in so far as the entry or notification relates to the land described in Part III of the Schedule to this Act, and for the purpose of any dealing with that land any entry or notification so made pursuant to section 46A of the Real Property Act, 1900, as so amended, shall be deemed never to have been made.

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- No. 43, 1958.** **4.** Compensation shall not be payable and shall be deemed never to have been payable pursuant to the Land Acquisition (Charitable Institutions) Act, 1946, or the Public Works Act, 1912, as amended by subsequent Acts, in respect of the resumption referred to in the Preamble to this Act of any of the lands described in the Schedule to this Act or in respect of any loss or damage whatsoever arising in any way as a consequence of that resumption or the revesting by this Act of any of the lands described in the Schedule to this Act.

Compensa-
tion not
payable.

SCHEDULE.

Sec. 2.

PART I.

All that piece or parcel of land situate in the Shire of Warringah, parish of Manly Cove and county of Cumberland, being portion 1,134,—having an area of 24 acres or thereabouts.

PART II.

All that piece or parcel of land situate as aforesaid, being part of the site of Warringah-road; Commencing at the south-western corner of portion 1,134; and bounded thence on the north by the southern boundary of that portion bearing 90 degrees 20 chains to the south-eastern corner of the said portion 1,134; on the east by a line bearing 180 degrees 1 chain to the northern boundary of lot 20, deposited plan 3,392; on the south by part of that boundary and the northern boundary of lots 21 and 22, in all bearing 270 degrees 20 chains to the north-western corner of the said lot 22 deposited plan 3,392; and on the west by a line bearing 360 degrees 1 chain to the point of commencement,—having an area of 2 acres, or thereabouts.

Sec. 3.

PART III.

All that piece or parcel of land situate as aforesaid, being the whole of the land comprised in Certificate of Title volume 6,293, folio 181, and being also lots 19 to 22, inclusive, deposited plan 3,392, but excluding thereout lot A, plan annexed to Dealing F254492, and the 2½ perches parcel of land resumed for Main Road, shown on plan annexed to Notice of Resumption F389749,—having an area of 38 acres 0 roods 6½ perches or thereabouts.

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