

Queensland



ANNO NONO

ELIZABETHAE SECUNDAE REGINAE.

No. 33.

An Act to Make Further Provision with respect to the Trust Property known as Scartwater Station, and for that purpose to amend "The Scartwater Station Trust Extension Act of 1941."

[ASSENTED TO 12TH DECEMBER, 1960.]

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:—

Short title.

1. (1.) This Act may be cited as "*The Scartwater Station Trust Extension Act Amendment Act of 1960.*"

Principal Act.

(2.) "*The Scartwater Station Trust Extension Act of 1941,*" is in this Act referred to as the Principal Act.

Collective title.

(3.) The Principal Act and this Act may be collectively cited as "*The Scartwater Station Trust Extension Acts, 1941 to 1960.*"

2. Section two of the Principal Act is amended by adding to the definition "Present War" the words "or any war in which His Majesty the King became engaged during the continuance of such wars with Germany or Italy".

Amendment
of s. 2.

3. In addition to the objects and purposes for which the Indenture referred to in the Preamble to the Principal Act, and the extended objects and purposes for which the Principal Act, declare and provide that the Trust property shall be managed and administered by the Managing Trustees, it is hereby declared that the Trust property may be managed and administered by the Managing Trustees—

Additional
extension
of objects
and purposes
of the Trust.

(a) For the benefit of—

- (i.) Returned servicemen who were enlisted, or appointed after enlistment, for active service anywhere (in any war or warlike operations) as members of any of the Naval, Military or Air Forces of the Commonwealth, or of the forces of the United Nations, and whether so enlisted or appointed before or after the passing of this Act, and who were enlisted from or were residents of the Area ;
- (ii.) Members of any of the Naval, Military or Air Forces of the Commonwealth, or of the United Nations, wounded or disabled on any active service anywhere (in any war or warlike operations) for which they were enlisted or appointed after enlistment, and whether so enlisted or appointed before or after the passing of this Act, and who were enlisted from or were residents of the Area ;
and

(iii.) Widows, children and other dependants of all returned servicemen and wounded or disabled members of any of the Naval, Military or Air Forces of the Commonwealth, or of the forces of the United Nations, to whom subparagraphs (i.) or (ii.) of this paragraph apply ; or

(b) For the objects and purposes set out in section four of this Act.

Home for
aged
returned
serviceman.

4. Without limit to the power conferred upon the Managing Trustees by the Indenture referred to in the Preamble to the Principal Act, the Principal Act, or this Act, it is hereby declared that the objects and purposes for which the Managing Trustees may manage and administer the Trust property include—

(a) The purchase for an estate in fee-simple of the land in the County of Herbert, Parish of Pring, described as Portions 23 and 24, containing an area of 17 acres 2 roods 8 perches and being the whole of the land comprised in Certificate of Title N42397, Volume 302, Folio 197, and Portion 25 containing an area of 15 acres and being the whole of the land comprised in Certificate of Title N34675, Volume 266, Folio 225, and the use of such land for the purpose set out in paragraph (b) of this section ;

(b) The establishment (including the extension from time to time), maintenance, conduct and control on such land of a home for persons of or over the age of sixty years for whose benefit the Managing Trustees are empowered by the said Indenture, the Principal Act or this Act to manage and administer the Trust property or who, immediately prior to applying for admission to such home, have been residents in the Area for a period of three years or such other period as the Managing

Trustees may fix from time to time and, except that they were not enlisted from the Area, are persons for whose benefit the Managing Trustees are empowered by the said Indenture, the Principal Act or this Act to manage and administer the Trust property ; and

(c) The grant of an educational scholarship, bursary or grant (including the scholarships called respectively the Scartwater and Cunningham Scholarships) to any child—

- (i.) Who when the grant is made is a resident of the Area ; and
- (ii.) Whose father, except that he was not enlisted from or was not when enlisted a resident of the Area, is, or if he is dead was, a returned soldier or returned serviceman, or a wounded or disabled soldier, serviceman, or member of any of the Naval, Military or Air Forces of the Commonwealth, or of the forces of the United Nations to whom subparagraph (ii.) of paragraph (a) of section three of this Act applies, for the benefit of whose children the Managing Trustees are empowered by the said Indenture, the Principal Act or this Act to manage and administer the Trust property.

5. Wherever used in the Indenture referred to in the Principal Act, the Principal Act or this Act, the term “soldiers” or “servicemen” or “members” applies and extends to females enlisted, or appointed after enlistment, for service in any capacity with or with any service forming part of the Naval, Military or Air Forces of the Commonwealth, or of the United Nations, in relation to which such term is used and it is hereby declared—

- (a) That the Trust Property may and always could be managed and administered by the Managing Trustees accordingly ; and
- (b) That to the extent necessary to give operation and effect to this section the provisions of the said Indenture, the Principal Act and this Act shall be read with and subject to all necessary modifications.

Ratification.

6. All acts, matters and things done or executed prior to the passing of this Act which if done subsequently to the passing of this Act would be valid and lawful are hereby approved, validated, ratified and confirmed.