



ANNO DECIMO TERTIO

# ELIZABETHAE II REGINAE

A.D. 1964

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## No. 6 of 1964

An Act to empower the sale of the Trades Hall,  
Adelaide, and for other purposes.

[Assented to 5th March, 1964.]

WHEREAS The Trades Hall Adelaide Incorporated is the registered proprietor of an estate in fee simple in those pieces of land situated in the City of Adelaide, being portions of Town Acre No. 306, being the whole of the land comprised and described in Certificates of Title Register Book Volume 1005 Folios 67 and 68, together with and subject to the rights in the said Certificates of Title more particularly described :

Preamble.

AND WHEREAS the building commonly known as the Trades Hall is erected on the said pieces of land :

AND WHEREAS portion of the said pieces of land is subject to certain trusts more particularly described in a Deed Poll dated the twenty-fifth day of July, One thousand eight hundred and ninety-five under the hands and seals of John Barker, Patrick Stokes, Frederick Samuel Wallis, Heinrich Christian Wilhelm Zadow, Charles Bertram Braun, Frederick William Coneybeer, Thomas Pearson and Robert Edwin John Wheeler (a certified copy of which said Deed Poll was deposited with the Registrar-General of Deeds for safe custody for reference and is number 295771 in the records of the Lands Titles Registration Office, Adelaide) which said Deed Poll provides *inter alia* that the land subject thereto and the Trades Hall shall be at all times under the control and management of a Managing Committee consisting of the Trustees for the time being under the said Deed Poll and eight other persons appointed as in the said Deed Poll more particularly set forth :

AND WHEREAS the present Trustees under the said Deed Poll are Donald Herbert Banfield, William Anthony Brown, Eric Hardesty Thorp, Albert James Shard, Albert Baden Thompson, John Victor Ryan, Clive Mervyn Calnan and William Patterson Trevorrow :

AND WHEREAS it appears from a certain Memorandum of Transfer number 349078A, registered in the Lands Titles Registration Office, Adelaide on the eighteenth day of January, One thousand nine hundred, that portion of the said pieces of land may be subject to certain trusts declared by a Deed Poll dated the seventeenth day of November, One thousand eight hundred and ninety-nine, under the hands and seals of the said John Barker, Patrick Stokes, Frederick Samuel Wallis, Heinrich Christian Wilhelm Zadow, Charles Bertram Braun, Frederick William Coneybeer, Thomas Pearson and Robert Edwin John Wheeler :

AND WHEREAS the said Deed Poll dated the seventeenth day of November, One thousand eight hundred and ninety-nine cannot be found and the trusts thereby declared are not known :

AND WHEREAS in the premises certain doubts have been expressed and may exist as to the powers of The Trades Hall Adelaide Incorporated to sell or dispose of the said land or any part thereof and as to the powers, duties and obligations of the Trustees under either of the said Deeds in respect of or arising or which might arise from out of or in consequence of any sale or disposal of the said pieces of land :

AND WHEREAS the Managing Committee of the Trades Hall, with the consent by resolutions passed at special meetings of Unions concerned, the Labor Day Celebrations Committee, and the United Trades and Labor Council, has decided to erect a Trades Hall at South Terrace, Adelaide upon certain land being the whole of the land comprised and described in Certificate of Title Registration Book Volume 2688 Folio 186 which the said The Trades Hall Adelaide Incorporated has acquired for the purpose :

AND WHEREAS in the premises the said The Trades Hall Adelaide Incorporated is desirous of selling and disposing of the said pieces of land and applying the proceeds of such sale towards the erection and completion of a Trades Hall at South Terrace aforesaid in lieu of the premises erected on the pieces of land in this preamble firstly recited :

NOW THEREFORE BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as "The Trades Hall Act, 1964". Short title.

2. In this Act—

Interpretation.

"the first Trust Deed" means the Deed Poll dated the twenty-fifth day of July, One thousand eight hundred and ninety-five, and firstly recited in the preamble to this Act :

"the second Trust Deed" means the Deed Poll dated the seventeenth day of November, One thousand eight hundred and ninety-nine and secondly recited in the preamble to this Act :

"the Trustees" means the Trustees for the time being under the first Trust Deed and the second Trust Deed :

"the Trust Land" means the pieces of land firstly recited in the preamble to this Act.

3. The Trust Land shall henceforth be vested in and be held by The Trades Hall Adelaide Incorporated freed and discharged from all the trusts and conditions contained in the first Trust Deed and the second Trust Deed or either of them, and to the intent that the Trustees shall be freed and discharged from all the said trusts and conditions and shall henceforth be held by The Trades Hall Adelaide Incorporated upon trust to sell the same with power to postpone the sale thereof for so long as it shall see fit and it shall be lawful for the said The Trades Hall Adelaide, Incorporated to sell and dispose of the Trust Land or any part thereof and any such sale may be by public auction or by private contract, for cash or on credit, or partly for cash and partly on credit, and either with or without special conditions relative to title or otherwise, with power to buy it at sales by auction and to rescind contracts for sale and to resell without being answerable for any loss or diminution in price, and for such price and generally on such terms and conditions as it shall consider expedient and upon every such sale it shall be lawful for the said The Trades Hall Adelaide Incorporated to transfer or otherwise assure the Trust Land or any part or parts thereof so sold or expressed so to be to the purchaser or purchasers thereof or as he or they shall direct absolutely freed and discharged from all the trusts and conditions contained in the first Trust Deed and the

Power to sell  
Trades Hall.

second Trust Deed or either of them or otherwise affecting the Trust Land or any part thereof: Provided that until the sale of the Trust Land the said The Trades Hall Adelaide Incorporated shall hold the rents, proceeds, and profits arising from the Trust Land or any part or parts thereof for the time being remaining unsold upon the trusts upon which the proceeds arising from the sale of the Trust Land are by this Act directed to be held.

Application of  
proceeds of  
sale.

4. The Trades Hall Adelaide Incorporated shall stand and be possessed of the net proceeds arising from the sale of the Trust Land upon trust to apply the same towards the erection of a Trades Hall on the land lastly recited in the preamble to this Act and not otherwise.

Application of  
trusts to new  
Trades Hall.

5. The land lastly recited in the preamble to this Act shall be and become subject to the trusts described in the first Trust Deed and the first Trust Deed shall apply to it as if that land had been recited in and subject to the first Trust Deed in the place and stead of the land originally recited therein and subject thereto.

In the name and on behalf of Her Majesty, I hereby  
assent to this Bill.

EDRIC BASTYAN, Governor.