



QUEEN ALEXANDRA HOSPITAL LANDS RESUMPTION

No. 43 of 1977

ANALYSIS

Preamble.

1. Short title and commencement.
2. Hospital lands.
3. Vesting of hospital lands.
4. Purposes for which hospital lands may be used and disposal of that land.
5. Discharge of trusts.

AN ACT to vest in the Crown the land on which the Queen Alexandra Hospital is situated, to regulate the purposes for which that land may be used, and to provide for matters incidental thereto.

[31 August 1977]

WHEREAS by virtue of the indentures of conveyance and the Preamble. certificate of title referred to in the Schedule to this Act the Perpetual Trustees and National Executors of Tasmania Limited (in this Act referred to as "the trustees") is possessed of certain lands on trust for the purposes of the hospital known as the Queen

Alexandra Hospital to permit the same and the building and buildings erected or to be erected thereon to be used as a Hospital for women according and subject to such rules and regulations for the management and government of the said Hospital as were subsisting at the time of the creation of the trust or as may subsequently have been amended or framed by the General Committee of the said Hospital for the well ruling and governing of the institution:

And whereas it is expedient that provision be made for the vesting of those lands in the Crown freed of trusts and encumbrances:

And whereas it is expedient that the trustees for or in relation to the Queen Alexandra Hospital be freed of their respective trusts:

BE it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and commencement.

1—(1) This Act may be cited as the *Queen Alexandra Hospital Lands Resumption Act 1977*.

(2) This Act shall commence on a day to be fixed by proclamation.

Hospital lands.

2 In this Act the expression “the hospital lands” means the lands referred to in the Schedule.

Vesting of hospital lands.

3—(1) In accordance with subsection (4) the hospital lands shall revert to and be revested in Her Majesty absolutely, freed and discharged from all estates and interests subsisting in the trustees.

(2) Subsection (1) does not affect the right, title, or interest of any person other than the trustees.

(3) Any mortgage subsisting over the hospital lands at the commencement of this Act shall be discharged by the Treasurer from moneys out of the Consolidated Revenue, which to the necessary extent are appropriated accordingly.

(4) Any part of the hospital lands shall vest in Her Majesty if any mortgage subsisting, at the commencement of this Act, over that part of those lands has been discharged and—

(a) if that part of those lands is under the *Real Property Act 1862*, Her Majesty is on the application made by or on behalf of the Minister to the Recorder of Titles registered as proprietor; or

- (b) if that part of those lands is not under that Act, a registration is effected, by or on behalf of the Minister, as if the lands had become vested in Her Majesty by an instrument (within the meaning of the *Registration of Deeds Act* 1935) in the terms of this Act.

4—(1) The hospital lands that are vested in Her Majesty under section 3 may be used for the purposes of community health activities (including community health education) and for any purposes reasonably incidental to any of those purposes or for such other purposes as the Governor may approve.

Purposes for which hospital lands may be used and disposal of that land.

(2) Where the hospital lands that have been acquired under the provisions of this Act are no longer required for the purpose for which they were so acquired, those lands may, with the Governor's approval, be disposed of as if they were Crown lands within the meaning of the *Crown Lands Act* 1976 or on such terms and conditions, and to such persons, as the Governor approves.

5 The Board of Management of the Queen Alexandra Hospital and any trustee for or in relation to that Hospital is hereby discharged absolutely from the performance of any duty which, but for this section, would have continued or arisen under the trust referred to in the preamble.

Discharge of trusts.

THE SCHEDULE

(Section 2)

QUEEN ALEXANDRA HOSPITAL

BATTERY POINT

HOSPITAL LANDS RESUMED

All those areas of land as the same are respectively described in—

General Law Conveyance Book Number 16 Folio 9921;
General Law Conveyance Book Number 19 Folio 9163;
General Law Conveyance Book Number 19 Folio 9164;
General Law Conveyance Book Number 23 Folio 2328;
Certificate of Title Volume 2958 Folio 38.

