

LAW COURTS LIMITED ACT, 1977

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 10, 1977.

An Act to provide for the vesting of certain land in Law Courts Limited, a company incorporated under the Companies Act, 1961; to exempt the Company from certain rates and taxes; to provide that certain Ministers are not to be treated as directors of the Company; and to validate certain matters. [Assented to, 17th March, 1977.]

BE

Law Courts Limited.

BE it enacted by the Queen's Most Excellent Majesty, 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:—

1. This Act may be cited as the "Law Courts Limited Short title Act, 1977".

2. In this Act, except in so far as the context or Interpretation. subject-matter otherwise indicates or requires—

"appointed day" means the day appointed and notified under section 3 (1);

"Company" means Law Courts Limited, a company incorporated under the Companies Act, 1961.

3. (1) On a day to be appointed by the Governor for the purposes of this section and notified by proclamation published in the Gazette, the land described in Schedule 1— Vesting of land described in Schedule 1.

(a) becomes Crown lands (as defined in the Crown Lands Consolidation Act, 1913) to the extent to which it is not Crown lands (as so defined) immediately before the appointed day; and

(b) is freed and discharged from all trusts, conditions, encumbrances, dedications, reservations, obligations, estates, interests, contracts (being contracts relating to the disposition of any of the land), charges, rates, rights-of-way or other easements.

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(2) On or after the appointed day, a Crown grant of the land described in Schedule 1 may be issued to the Company, and the grant shall be issued subject to such trusts, conditions, covenants, exceptions, reservations and provisions (if any) as the Governor thinks fit and as are specified in the grant.

(3) Any Crown grant or certificate of title issued in respect of any part of the land described in Schedule 1 and subsisting immediately before the appointed day is cancelled so far as it relates to the land described in Schedule 1.

(4) No easement for railway purposes vested in the Public Transport Commission of New South Wales is affected by anything contained in or done under the foregoing provisions of this section.

(5) A person who is divested of an estate or interest in any of the land described in Schedule 1 by the operation of subsection (1) has the same claim for compensation that he would have had had the land been resumed or appropriated under the Public Works Act, 1912, and that Act applies to and in respect of the claim as if—

(a) the land had been so resumed or appropriated by notification published under section 42 of that Act on the appointed day; and

(b) the Minister were the Constructing Authority.

Stamp
duty.

4. No duty is payable under the Stamp Duties Act, 1920, in respect of the Crown grant issued under section 3 (2) or in respect of the transfer to the Company of the land described in Schedule 2.

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5. The Company is not liable to pay any rates, taxes or duties under any law of the State, whether that law is enacted or made before or after the commencement of this Act. Rates and taxes.

6. A Minister of the Crown in right of the State or of the Commonwealth shall be deemed not to be, and never to have been, a director of the Company by reason that the directors of the Company are or have been accustomed to act in accordance with the directions or instructions of any such Minister or Ministers. Ministers not to be deemed directors.

7. (1) In this section, "the resumption" means the resumption or appropriation, or the resumption and appropriation, purporting to have been effected by the notification published in Gazette No. 97 of 18th July, 1975, in respect of the land described in Schedule 3 for a pedestrian plaza for the Commonwealth and State Law Courts, Sydney. Resumption of pedestrian plaza.

(2) The resumption is hereby validated to the extent (if any) to which it would, but for this subsection, be invalid, and the pedestrian plaza referred to in the notification relating to the resumption shall be deemed to be, and to have been at all material times, an authorised work within the meaning of the Public Works Act, 1912.

(3) Compensation is not, and shall be deemed never to have been, payable in respect of the resumption.

(4)

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(4) The resumption does not affect, and shall be deemed never to have affected, any easement for railway purposes vested in the Public Transport Commission of New South Wales, and every such easement through or under the land described in Schedule 3 shall be deemed to have been specified or described in the notification relating to the resumption as being excepted from the vesting of that land consequent on the resumption.

Regulations. **8.** The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

SCHEDULE 1.

Secs. 3, 4,
5.

State
land.

All that piece or parcel of land situate in the City of Sydney, Parish of St. James and County of Cumberland, being Lot 1 in Deposited Plan No. 588101.

SCHEDULE 2.

Secs. 4, 5.

Common-
wealth
land.

All that piece or parcel of land situate in the City of Sydney, Parish of St. James and County of Cumberland, being Lot 2 in Deposited Plan No. 217666 and being also the whole of the land comprised in Certificate of Title Volume 9451 Folio 210.

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SCHEDULE 3.

Sec. 7.

All that piece or parcel of land situate in the City of Sydney, Pedestrian
Parish of St. James and County of Cumberland, being Lot 1 in plaza.
Deposited Plan No. 559233.
