

# The Lakemba Memorial Hall Act 1949 No 3

[1949-3]



New South Wales

## Status Information

### Currency of version

Current version for 12 April 1949 to date (accessed 8 May 2024 at 15:25)

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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# The Lakemba Memorial Hall Act 1949 No 3



New South Wales

An Act to provide for the vesting in the Lakemba Services Club of certain lands, buildings and personal property; and for purposes connected therewith.

WHEREAS the property and assets described in the Schedule to this Act are now vested in Victor Edmund Harcourt, Russell Clarence Gordon and James Sydney Davidson as Trustees for the Lakemba Sailors' and Soldiers' Memorial Hall Committee: And whereas it is expedient that the said property and assets be vested in the Lakemba Services Club:

Be it therefore enacted by the King'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 Name of Act and commencement

- (1) This Act may be cited as *The Lakemba Memorial Hall Act 1949*.
- (2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

## 2 Definitions

In this Act, unless the context or subject-matter otherwise indicates or requires:

**Club** means the Lakemba Services Club.

**Committee** means the Lakemba Sailors' and Soldiers' Memorial Hall Committee.

**Council** means the Council or other governing body for the time being of the Club.

**Trust property** means the property described in the Schedule to this Act and any building or other improvement erected on the land described in the said Schedule.

## 3 Vesting of trust property

- (1) The trust property is hereby transferred to and vested in the Club.
- (2) All trusts, estates, or interests affecting the trust property immediately before the commencement of this Act are hereby revoked and annulled.

- (3) The Registrar-General shall upon the application of the Club and upon payment of the fees prescribed register the Club as the proprietor of the land described in the Schedule to this Act for an estate in fee simple freed and discharged from any trusts, estates, or interests which, immediately before the commencement of this Act, affected such land.

#### **4 Provision of club and office premises**

- (1) The Club shall as soon as may be practicable cause to be erected upon the land described in the Schedule to this Act such buildings as will provide suitable accommodation for:
- (a) club premises and recreation rooms for the use and benefit of members of the Club,
  - (b) separate office accommodation for the Lakemba Sub-branch of the Returned Sailors, Soldiers and Airmen's Imperial League of Australia (New South Wales Branch), the Lakemba Sub-branch of the Australian Legion of Ex-Servicemen and Women and any other kindred organisations approved by the Council for this purpose.
- (2) The Club shall permit each of the said organisations to occupy for office purposes separate portions of the said buildings. The respective portions to be so occupied shall be decided by the Council. No rent shall be charged in respect of such occupation.

#### **5 Exoneration of members of and trustees for Committee**

All persons who, at any time before the commencement of this Act, were members of the Committee or trustees for the Committee, and the estates of all deceased members of the Committee, and of all deceased trustees for the Committee are hereby released and discharged from all claims and demands which, before the commencement of this Act, arose out of contract or tort or otherwise in relation to the ownership, management, or administration of the trust property.

#### **6 Preservation of rights**

Nothing in this Act contained or that may be done under this Act shall be deemed prejudicially to affect or deprive any person of any right whatsoever which, before the commencement of this Act, arose out of contract or tort or otherwise in relation to the trust property, and any such right which may, immediately before the commencement of this Act, have been enforceable against the Committee or any trustees for the Committee may be enforced against the Club.

#### **7 Vesting of rights**

All rights, including choses in action, arising out of contract, tort, or otherwise in any way relating to the trust property which were, immediately before the commencement of this

Act, vested in the Committee or in the trustees for the Committee, are hereby vested in and may be enforced by the Club.

## **Schedule**

- (a) All that piece of land situated in the Municipality of Canterbury, Parish of St. George, County of Cumberland, having a frontage to The Boulevarde, Lakemba, and being the land comprised in Certificate of Title, Volume 3269, Folio 69, upon which piece of land is erected the building known as the Lakemba Memorial Hall.
- (b) All moneys, securities, chattels and other personal property of any description vested in Victor Edmund Harcourt, Russell Clarence Gordon and James Sydney Davidson as trustees for the Committee.