



Western Australia

**Jennacubbine Sports Council (Incorporated)
Act 1965**

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Jennacubbine Sports Council (Incorporated) Act 1965

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Jennacubbine Sports Council (Incorporated) Act 1965

An Act to dissolve an Association incorporated under the *Associations Incorporation Act 1895*, by the name of Jennacubbine Race Club and to vest its assets in an Association to be so incorporated by the name of Jennacubbine Sports Council and for incidental purposes.

Preamble

WHEREAS:

- (a) the Jennacubbine Race Club (in this Act called “the Club”) was incorporated by that name under the *Associations Incorporation Act 1895*, on the twenty-fourth day of November, nineteen hundred and twenty- three;
- (b) the rules of the Club provide *inter alia* that the President and other officers of the Club and members of its Committee shall retire from office annually and further provide that no member of the Club is competent to vote on any occasion whatever or to enjoy any privileges as a member until he has paid his subscription to the Club for the current year;
- (c) it appears that —
 - (i) the last general meeting of the members of the Club was held in or about the year nineteen hundred and fifty-three, and no Committee of the Club has since been elected; and
 - (ii) no persons had paid any subscriptions to the Club since that year or have any horse race meetings been conducted by the Club since that year;

s. 1

- (d) various residents of the district of Jennacubbine, many of whom are former members of the Club are desirous of forming an association and incorporating it under the *Associations Incorporation Act 1895*, by the name of the Jennacubbine Sports Council (in this Act called “the Council”) for the purpose of using —
- (i) the land owned by the Club and formerly used by it as a race course, as a playing ground for sport in general and in particular for the playing of cricket, football, tennis, hockey and basketball; and
 - (ii) the other assets of the Club towards the advancement of sport in the district of Jennacubbine; and
- (e) it is deemed proper in the circumstances that the Club be dissolved and its assets vested in the Council when the Council is incorporated under the *Associations Incorporation Act 1895*.

Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows: —

1. Short title

This Act may be cited as the *Jennacubbine Sports Council (Incorporated) Act 1965*.

2. Dissolution of Club and transfer of its assets to Council

When a certificate of incorporation is duly granted under the *Associations Incorporation Act 1895*, in respect of the Council as from the date of the certificate —

- (a) the Club is dissolved and ceases to exist;
- (b) all the real and personal property of the Club and every right and interest therein of the Club subsisting immediately before that date shall, by force of and

subject to this Act, without any conveyance, transfer or assignment, be transferred to, vest in and become the property of the Council, subject to any trusts, debts and liabilities affecting such property;

- (c) all other rights, liabilities and obligations of the Club subsisting at that date shall be preserved, vested in, carried on, continued and assumed completely and without any abatement or cessation in any respect whatever, by the Council.

3. Power of Registrar of Titles to register, transfer of certain land

The Registrar of Titles appointed under the *Transfer of Land Act 1893*, shall on the application of the Council made at any time after the date referred to in section two of this Act, and on the production of Certificate of Title Volume 1025 Folium 743, and payment of the appropriate fee, register the Council as the registered proprietor of all that piece of land comprised and described in that Certificate of Title.

4. Stamp duty payable on application

Stamp duty is payable under the provisions of the *Stamp Act 1921*, in respect of the application referred to in section three of this Act and for that purpose the application shall be treated as though it were a conveyance or transfer or sale of property under that Act and the consideration therefor were one thousand three hundred and ten pounds.

5. Use of land vested in Council

- (1) Subject to subsection (2) of this section, the land comprised and described in Certificate of Title Volume 1025 Folium 743, being Avon Location 20480 containing sixty-five acres two roods shall, when transferred to the Council under this Act, be used for the purpose of a ground for the playing of sport generally and in particular for the playing of cricket, football, tennis, hockey and basketball and for purposes incidental thereto.

s. 5

- (2) The land referred to in subsection (1) of this section may be used by the Council for any purpose other than the purpose referred to in that subsection if —
- (a) the Council so resolves at a general meeting of the members of the Council duly convened for the purpose of passing such a resolution and specifies in the resolution the purpose for which the Council desires to use the land; and
 - (b) the Governor by Order in Council permits the land to be used for the purpose so specified.

Notes

- ^{1.} This is a compilation of the *Jennacubbine Sports Council (Incorporated) Act 1965* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Jennacubbine Sports Council (Incorporated) Act 1965</i>	53 of 1965	9 Nov 1965	9 Nov 1965
