

## WESTERN AUSTRALIAN TURF CLUB (PROPERTY).

8° and 9° GEO. VI.

---

**AN ACT** to resolve certain doubts concerning the power of The Western Australian Turf Club under the Western Australian Turf Club Act, 1892, to enter into agreements for the acquisition by purchase or otherwise of and to acquire by purchase or otherwise and hold and otherwise deal with real and personal property for the purposes of the Club.

[Assented to 21st December, 1944.]

**WHEREAS** certain doubts have arisen concerning the power of The Western Australian Turf Club under the Western Australian Turf Club Act, 1892, to enter into agreements for the acquisition by purchase or otherwise of and to acquire by purchase or otherwise and hold and otherwise deal with real and personal property for the purposes of the Club and it is deemed desirable and expedient that the said Club shall have such power and be deemed to have had such power and to resolve such doubts accordingly: 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 Western Australia, in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the *Western Australian Turf Club (Property) Act, 1944.*

2. This Act shall be read in conjunction with the Western Australian Turf Club Act, 1892, hereinafter referred to as the principal Act.

This Act to be read in conjunction with The Western Australian Turf Club Act 1892.

3. In this Act, unless the context otherwise requires—

“Club” means The Western Australian Turf Club.

“Chairman” means the person who from time to time and at any time is the Chairman of the Committee.

“Committee” means the Committee from time to time and at any time of the Club.

Interpretation.

4. (1) The Committee shall have and may exercise, and shall be deemed always to have had under the principal Act, power through the Chairman and under his name to negotiate for and enter into agreements for the acquisition of, to acquire by purchase, exchange, lease or otherwise, and to hold, mortgage, lease, and otherwise deal with real and personal property for the purposes of the Club.

Power to Club to acquire and hold real and personal property. Retrospective operation.

(2) When so authorised by a resolution of the Committee the Chairman may in his name execute all such agreements, transfers, leases, mortgages and other instruments necessary or requisite for the effectual exercise by the Committee of the power conferred by subsection (1) of this section.

(3) A certified copy of the minute of any such resolution signed by the Secretary of the Club shall be evidence that, where, pursuant to such resolution, the Chairman has executed any agreement, transfer, lease, mortgage, or other instrument under the authority of subsection (2) of this section he has done so with the authority of and in a fiduciary capacity for the Committee.

(4) Notwithstanding anything to the contrary contained in the Transfer of Land Act, 1893, and where any land, which has been acquired by the Committee is registered in the name of a person who at the time of such registration was the Chairman, and any dealing in relation to such land is subsequently tendered to the Registrar of Titles for registration in the name of another person, the Registrar may, subject to any other requirements of the said Act, accept such dealing for registration upon production therewith of a declaration

*Western Australian Turf Club* [1944.  
(*Property*).

by the Secretary of the Club that the land referred to in such dealing is the property of the Club, and that the person who has executed such dealing is for the time being the Chairman.

Provisions  
of principal  
Act to  
apply to  
property  
acquired  
under this  
Act.

(5) Subject to this Act any real or personal property acquired or held by the Committee under the power conferred by this Act shall be subject to the like powers, authorities and discretions as are vested in the Committee and the Chairman by the provisions of the principal Act in respect of real and personal property referred to in the principal Act, and the said provisions, with such adaptations as may be necessary, shall apply accordingly.

---