



Western Australia

Fairbridge Farm School Act 1948

Compare between:

[06 Jul 1998, 00-b0-08] and [04 Dec 2009, 00-c0-04]

Western Australia

Fairbridge Farm School Act 1948

An Act to provide for the immediate vesting in Fairbridge Farm Schools (Incorporated) of certain real and personal property of the Kingsley Fairbridge Farm School Society of Western Australia (Incorporated) and for the future vesting in Fairbridge Farm Schools (Incorporated) of certain other real property of the Kingsley Fairbridge Farm School Society of Western Australia (Incorporated) and to provide, until such future vesting of such other real property, for its vesting in Fairbridge Farm Schools (Incorporated) and the Kingsley Fairbridge Farm School Society of Western Australia (Incorporated) as trustees for Fairbridge Farm Schools (Incorporated).

[Assented to 21 December 1948.]

Whereas in order to conform to the requirements in the United Kingdom in regard to the emigration and welfare of under-privileged children to the Fairbridge Farm School at Pinjarra, in the State of Western Australia, and to ensure a policy of unbroken responsibility towards the children, it is desirable to effect an ultimate merging of the interests of Fairbridge Farm Schools (Incorporated) and the Kingsley Fairbridge Farm School Society of Western Australia (Incorporated): 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: —

1. Short title

This Act may be cited as the *Fairbridge Farm School Act 1948*.

2. Interpretation

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

“Fairbridge Society” means Fairbridge Farm Schools (Incorporated), a company not for profit and limited by guarantee and incorporated in England and having its registered office situate at Savoy House, 115 Strand, London, and registered in Western Australia under the provisions of the *Companies Act 1943-1947*;

“Western Australian Society” means The Kingsley Fairbridge Farm School Society of Western Australia (Incorporated), a society incorporated under the provisions of the *Associations Incorporation Act 1895*;

“Fairbridge Farm School properties” means —

- (a) portion of Murray Location 527 and being Lot 3 on Plan 2767 and being the whole of the land comprised in Certificate of Title, Volume 552, Folio 75;
- (b) portions of Cockburn Sound Location 16 and being Lots 1, 2, 3, 4 and part of Lot 5 on Plan 4496, and being the whole of the land comprised in Certificate of Title, Volume 1040, Folio 425;
- (c) portions of Murray Location 66 and being Lots 24 to 30, both inclusive, on Plan 5651, and being the whole of the land comprised in Certificate of Title, Volume 1043, Folio 814.

[Section 2 amended by No. 39 of 1955 s.2.]

3. Property vested in the Fairbridge Society

All real and personal property, both present and future, of the Western Australian Society (except the Fairbridge Farm School properties), including property funds and investments held on trust, shall be and the same are hereby vested in the Fairbridge Society, subject to all contracts, covenants and liabilities affecting the same, and in respect of trust property, trust funds

and investments representing trust funds, subject to the trusts and equities affecting the same and all trustees and other persons by whom any such real or personal property, trust property, trust funds, or investments are now or may hereafter be held, are hereby authorised and directed to transfer and assign the same to the Fairbridge Society.

4. Vesting of Fairbridge Farm School properties

The Fairbridge Farm School properties are hereby vested in the Fairbridge Society and the Western Australian Society as joint tenants upon trust for the purposes of the Fairbridge Society until such time as the membership of the Western Australian Society falls below eleven or until the thirty-first day of December, one thousand nine hundred and fifty-three, whichever event shall last happen, or until the earlier merger of the Western Australian Society with the Fairbridge Society, and thereafter the Fairbridge Farm School properties shall by force of this Act become vested absolutely in the Fairbridge Society.

5. Further vesting of Fairbridge Farm School properties in incorporated body

- (1) In this section —
“the newly-named Society” means The Fairbridge Society (Incorporated), a body which is a company not for profit and limited by guarantee, which is incorporated in England and which has its registered office situate at Creagh House, 38 Holland Villas Road, London, W.14, and which is registered under the provisions of the *Companies Act 1943-1954*.
- (2) The Fairbridge Farm School properties are by force of this section, vested absolutely in the newly-named Society on the coming into operation of the *Fairbridge Farm School Act Amendment Act 1955*, on trust for the purposes of that Society.
- (3) The Registrar of Titles is hereby authorised, on receiving an application executed by the newly-named Society, without further proof, and without charge of any registration fee or

s. 5

stamp duty, to make, and shall make, on the certificates of title of those properties the endorsements necessary to give effect to the vesting effected by subsection (2) of this section.

[Section 5 inserted by No. 39 of 1955 s.3.]

Notes

- ^{1.} This is a compilation of the *Fairbridge Farm School Act 1948* and includes all amendments effected by the other Acts referred to in the following Table.

Table of Acts

Compilation table

Act <u>Short title</u>	Number and Year <u>Number and year</u>	Assent	Commencement	Miscellaneous
<i>Fairbridge Farm School Act 1948</i>	35 of 1948	21 December <u>Dec</u> 1948	21 December <u>Dec</u> 1948	
<i>Fairbridge Farm School Act Amendment Act 1955</i>	39 of 1955	5 December <u>Dec</u> 1955	5 December <u>Dec</u> 1955	
<u>This Act was repealed by the Statute (Repeals and Minor Amendments) Act 2009 s. 3(1)(c) (No. 46 of 2009) as at 4 Dec 2009 (see s. 2(b)).</u>				