

**REAL PROPERTY (FOREIGN
GOVERNMENTS).**

15° Geo. VI., No. III.

* No. 3 of 1951.

AN ACT to enable the Governments of foreign States to own and dispose of land in Western Australia, and for purposes incidental thereto.

[Assented to 13th November, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of 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. This Act may be cited as the *Real Property (Foreign Governments) Act, 1951.*

Short title.
Cf. No. 8
of 1950, of
S.A., s. 1.

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

Interpre-
tation.
Cf. No. 8 of
1950, of S.A.,
s. 2.

“foreign State” means any State other than Western Australia, including any sovereign State, any State of the Commonwealth, any State forming part of any other federal State, and any State under the dominion or protection of His Majesty, or of any other State;

"land" means any estate or interest in land;
"representative" means diplomatic representa-
tive, consul, or consular officer.

Power of
foreign
Governments
to hold land.
Cf. No. 8 of
1950, of S.A.,
s. 3.

3. (1) Subject to the provisions of this Act, the Government of a foreign State or a minister or member of any such Government shall be capable of owning and being registered as the owner of land in Western Australia, such land not to exceed an area of five acres in the aggregate, without the approval of Parliament, and of conveying, transferring, mortgaging, demising, and being a party to any other disposition of such land.

(2) In any instrument which relates to land in Western Australia—

- (a) the Government of a foreign State shall be described by the words "The Government of _____", the blank space being filled by the name of that State;
- (b) a minister or member of the Government of a foreign State shall be described by his official title, including or followed by the name of that State.

Consent to
assurances
lands to
foreign
Governments.
Cf. No. 8 of
1950, of S.A.,
s. 4.

4. An instrument granting, conveying, transferring or demising land to the Government of a foreign State or to a minister or member of the Government of a foreign State shall not have any effect, or be registered, deposited, or enrolled pursuant to any Act, unless it contains or has endorsed thereon a statement by the appropriate minister of the Crown for the State of Western Australia that he consents to the transaction evidenced or effected by that instrument.

Execution of
instruments.
Cf. No. 8 of
1950, of S.A.,
s. 5.

5. (1) An instrument granting, conveying, transferring, demising, mortgaging, or otherwise dealing with land, or an acceptance of a transfer of land, may be executed on behalf of the Government of a foreign State, or on behalf of a minister or member of the Government of a foreign State, by a representative of that Government resident within the Commonwealth.

(2) A certificate, signed by the appropriate Minister of the Crown for the State of Western Australia and certifying that a person named therein is a representative of the Government of a foreign State and is resident in the Commonwealth, shall, if contained in or endorsed on any instrument relating to land, be accepted by the Registrar of Titles or Registrar of Deeds as conclusive evidence of the fact so certified.

(3) The appropriate Minister of the Crown for the State of Western Australia, on request made to him by or on behalf of a foreign State, and if satisfied as to the facts to be certified, shall give a certificate such as is mentioned in the last preceding subsection.

6. (1) For purposes of owning and dealing with land pursuant to this Act, the Government of a foreign State or a minister or member of the Government of a foreign State shall be deemed to be a body corporate.

Foreign
States
deemed to
be bodies
corporate.
Cf. No. 8 of
1950, of S.A.,
s. 6.

(2) Where any instrument relating to land in Western Australia contains a reference to any such Government, minister or member, that reference shall be deemed to be a reference to the persons for the time being constituting that Government, or, as the case may be, to the person for the time being holding or acting in the office of that minister or member.
