

Western Australia

**Perth and Tattersall's Bowling and
Recreation Club (Inc.) Act 1979**

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Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979

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Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979

An Act to dissolve the Perth Bowling and Recreation Club (Incorporated), an Association incorporated under the Associations Incorporation Act 1895, and to dissolve The Western Australian Tattersall's Club, a Company incorporated under the Companies Act 1893 and registered pursuant to section 29 of the Companies Act 1943, as a Company with limited liability without the addition of the word "Limited" to its name, and to vest the assets of both bodies in, and to transfer the liabilities and membership thereof to an Association to be incorporated under the first mentioned Act, by the name of the Perth and Tattersall's Bowling and Recreation Club (Inc.) and for incidental purposes.

[Assented to 8 December 1979.]

Preamble

WHEREAS:

- (a) The Perth Bowling and Recreation Club (Incorporated) (in this Act called "the Club") was incorporated under the Associations Incorporation Act 1895 on the Twenty-fourth day of October, 1899;
- (b) The Western Australian Tattersall's Club (in this Act called "the Company") was incorporated under the Companies Act 1893 on the 7th day of July, 1903 and was registered pursuant to section 29 of the Companies Act 1943 as a company with limited liability, without the addition of the word "Limited" to its name, on the 12th day of November, 1948;

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- (c) Under the Rules of the Club and the memorandum and articles of association of the Company, neither body is empowered to effect a dissolution whereby its assets are distributed to another body with similar aims and objects, as now proposed;
- (d) at the Annual General Meeting of the Company held on the 27th November, 1978, it was resolved that steps be taken to amalgamate the Company with the Club;
- (e) at a Special General Meeting of the Club held on the 6th December, 1978, it was resolved that the proposed amalgamation with the Company be approved;
- (f) it has been agreed by the Club and by the Company that in order to effect the desired amalgamation of the said two bodies, steps be taken to dissolve both bodies and to form a new association, to be incorporated under the Associations Incorporation Act 1895, by the name of the Perth and Tattersall's Bowling and Recreation Club (Inc.) (in this Act called "the Association") wherein the assets of the Club and of the Company shall be vested and the membership of both bodies shall be merged; and
- (g) it is deemed, proper in the circumstances that the Club and the Company be dissolved and that the assets of both bodies be vested in the Association and that their liabilities and membership be transferred to the Association, when it 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 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. Short title

This Act may be cited as the *Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979*.

2. Dissolution of Club and Company and transfer of assets to Association

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

- (a) the Club and the Company are dissolved and cease to exist and the Commissioner for Corporate Affairs under the Companies Act 1961 shall thereupon strike them off the registers kept by him.
- (b) All the real and personal property of the Club and of the Company and every right and interest therein of the Club and of the Company respectively, 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 Association, subject to any trusts, debts and liabilities affecting such property;
- (c) all other rights, liabilities and obligations of the Club and of the Company subsisting immediately before 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 Association;
- (d) all uncompleted contracts or engagements heretofore entered into by any person or persons with the Club or with the Company shall thereafter, to the extent that the same shall be uncompleted, be deemed to have been entered into with the Association; and
- (e) every member of the Club and of the Company shall become a member of the Association, in the class appropriate to his membership of the said Club or Company, without payment of any entrance fee.

3. Exemption from stamp duty

Any instrument executed for the purpose of vesting or registering the property of the Club or of the Company in the Association, pursuant to this Act, shall be exempt from stamp duty chargeable under the provisions of the Stamp Act 1921.

4. Liquor and other licences

On and from the date referred to in section 2 of this Act, any licence, provisional certificate or permit previously granted or issued to the Club or to the Company pursuant to the provisions of the Liquor Act 1970, or any other Act whatsoever, and subsisting immediately before that date, shall be deemed to have been issued to the Association and subject only to the provisions of the relevant Act or Acts and regulations applicable to such licence provisional certificate or permit, the same shall continue in force and be applicable to the Association as though the Association and the Club and the Company were and had always been one and the same.

Notes

- ^{1.} This is a compilation of the *Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979* 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>Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979</i>	80 of 1979	6 Dec 1979	6 Dec 1979