



Western Australia

Perth Dental Hospital Land Act 1942

As at 07 Feb 2003

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Reprints Act 1984 as at
7 February 2003

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Perth Dental Hospital Land Act 1942

An Act to authorise the transfer of a certain portion of the land comprised in Perth town lot O5 to the Perth Dental Hospital Board for the purpose of a site for a public dental hospital.

Preamble

Whereas that portion of Perth town lot O5, more particularly described in section 2, was purchased by The Western Australian College of Dental Science and Perth Dental Hospital Incorporated (hereinafter referred to as “the Association”) for an estate in fee simple under and by virtue of the provisions of section 3 of the *Public Dental Hospital Land Act 1934* (hereinafter referred to as “the said Act”), to be used solely for the purpose of a site for a public dental hospital: And whereas the said land was mortgaged under the powers contained in section 4 of the said Act to the Bank of New South Wales², St. George’s Terrace, Perth (hereinafter referred to as “the mortgagee”), by instrument of mortgage registered on 8 May 1936: And whereas, with the knowledge and consent of the Association, a Board, known as the Perth Dental Hospital Board, has been appointed by the Governor in Council under section 15 of the *Hospitals and Health Services Act 1927*³, by Order in Council dated 1 October 1941 for the purpose of establishing and maintaining a public dental hospital: And whereas, for the purpose of providing a site for a public dental hospital, the Association is desirous of transferring the said land to the said Perth Dental Hospital Board (to which transfer the mortgagee consents), and the authority of Parliament is needed to enable this to be done: Be it enacted by the King’s Most Excellent Majesty, by

s. 1

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 *Perth Dental Hospital Land Act 1942*¹.

2. Authority to transfer land

It shall be lawful for the Association, with the approval of the Governor, to transfer portion of Perth town lot O5 being — (firstly) lot 8 on diagram 3681, together with a right of carriage-way over portion of lot 10 on the said diagram, as described and delineated on the map on the certificate of title and (secondly) lot 6 on the said diagram, being the whole of the land contained in certificate of title volume 1042, folio 740, now vested in it as aforesaid, to the Perth Dental Hospital Board for an estate in fee simple, subject to existing easements and encumbrances, and on production of the said transfer the Registrar of Titles shall cause such transfer to be duly registered on the title of the said land and shall issue a certificate of title to the said Perth Dental Hospital Board for the land comprised in such transfer subject to existing encumbrances.

3. Board to have powers conferred by the Hospitals Act

Upon registration of the transfer from the Association to the Perth Dental Hospital Board, all the powers conferred upon Boards by section 17 of the *Hospitals and Health Services Act 1927*, may be exercised by the Perth Dental Hospital Board with respect to the land transferred to it by the Association under this Act as if it were land vested in a Board within the meaning of the *Hospitals and Health Services Act 1927*.

[Section 3 amended by No. 103 of 1994 s. 18.]

Notes

- ¹ This reprint is a compilation as at 7 February 2003 of the *Perth Dental Hospital Land Act 1942* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Perth Dental Hospital Land Act 1942</i>	9 of 1942	31 Oct 1942	31 Oct 1942
<i>Hospitals Amendment Act 1994 s. 18</i>	103 of 1994	11 Jan 1995	3 Feb 1995 (see s. 2 and <i>Gazette</i> 3 Feb 1995 p. 333)

- ² Now known as Westpac.

- ³ Formerly referred to the *Hospitals Act 1927* the short title of which was changed to the *Hospitals and Health Services Act 1927* by the *Hospitals Amendment Act 1994 s. 5*. The reference was changed under the *Reprints Act 1984 s. 7(3)(gb)*.