



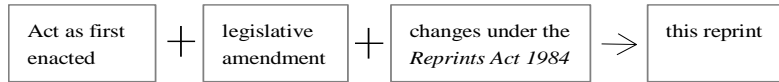
Western Australia

Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934

Reprint 1: The Act as at 9 May 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —

- removed (because it was repealed or deleted from the law); or
- omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 9 May 2003

Western Australia

Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934

CONTENTS

1.	Short title	1
2.	Definitions	1
3.	Powers of sale in principal Act extended to other lands	1
4.	Trustees, power to mortgage	2
Notes		
	Compilation table	4



Western Australia

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Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934

An Act to enable the body corporate styled The Trustees of the Geraldton Sailors and Soldiers' Memorial Institute to exercise certain powers of sale, mortgaging, and leasing in regard to certain lands vested or which may hereafter be vested in that body.

1. Short title

This Act may be cited as the *Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934*, and shall be read as one with the *Geraldton Sailors and Soldiers' Memorial Institute Act 1929*¹.

2. Definitions

In this Act —

“The principal Act” means the *Geraldton Sailors and Soldiers' Memorial Institute Act 1929*.

“The Trustees” means the Trustees of the Geraldton Sailors and Soldiers' Memorial Institute, a body corporate incorporated under the principal Act.

3. Powers of sale in principal Act extended to other lands

The powers of sale, mortgaging, and leasing vested in the Trustees by the principal Act shall extend to and be exercisable

s. 4

by the Trustees, subject to the provisions of the principal Act in relation to the following lands: —

1. All that piece of land, being Geraldton lot 1118, the subject of Crown grant volume 1035, folio 737.
2. All those pieces of land, being portions of Geraldton suburban lots 158, 161, and 162 and being lots 8, 9, 10, 28, 29, 30, 43, 44, 45, and 46 on Plan 3476, and being the balance of the land the subject of Crown grant certificate of title volume 1038, folio 90.
3. Any other lands which may from time to time be vested in the Trustees.

4. Trustees, power to mortgage

Without limiting the generality of the preceding section, it is hereby declared that the Trustees may, with the approval of the Governor, borrow by way of mortgage such sum or sums of money, at such rate of interest and on such terms and conditions as the Trustees may think fit.

For the purpose of securing payment of any moneys so borrowed, the Trustees may mortgage all or any of the said lands, or any of the lands vested in the Trustees under the principal Act, and any mortgage executed by the Trustees may contain such covenants, provisos, conditions, and powers as the mortgagee may require; and, in the case of the mortgagee being an incorporated bank, may be on the basis of a current account, and contain all such covenants, provisos, conditions, and powers as are usual in securities of a like nature given to the bank, or as the bank and the Trustees may mutually agree. On any sale or lease of the mortgaged land which may be made by the mortgagee, or by a receiver appointed by the mortgagee, in exercise of its powers as mortgagee, any purchaser or lessee from the mortgagee or such receiver shall hold the said land free and absolutely discharged from any trusts or restrictions, as to the use thereof, to which the same may have been subject prior to the date of such sale or lease. It shall not be necessary for any

mortgagee to see to the application of any moneys borrowed by the Trustees, nor shall the mortgagee be affected by notice, actual or constructive, of the misapplication of any such moneys by the Trustees.

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Notes

- ¹ This is a reprint as at 9 May 2003 of the *Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934* ². The following table contains information about that Act and any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934</i>	37 of 1934	4 Jan 1935	4 Jan 1935
Reprint 1: The Geraldton Sailors and Soldiers' Memorial Institute Enabling Act 1934 as at 9 May 2003			

- ² This Act is to be read with:
- Geraldton Sailors and Soldiers' Memorial Institute Act 1929.*
- Related Acts:
- Geraldton Sailors and Soldiers' Memorial Institute Lands Vesting Act 1933.*
- Geraldton Sailors and Soldiers' Memorial Institute (Trust Property Disposition) Act 1938.*