



# Australian Waste Lands Act 1855

Current as at 20 July 1896—revised version

## **Reprint note**

Redundant endnotes tables have been omitted from this reprint to reflect current styles.

This version was produced on 5 August 2015.





Queensland

# Australian Waste Lands Act 1855

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## Australian Waste Lands Act 1855

**An Act to repeal the Acts of Parliament now in force respecting the disposal of the waste lands of the Crown in Her Majesty's Australian Colonies, and to make other provision in lieu thereof**

### **3 Powers of the repealed Acts continued for certain purposes in this country**

The powers vested by the said Acts hereby repealed in Her Majesty, the Treasury, and the Colonial Land and Emigration Commissioners respectively, shall continue so far as regards the appropriation and application of moneys which may be received from the said colonies respectively under and by virtue of the provisions of the said Acts or either of them.

*Editor's note—*

The Act of the sixth year of the reign of Her Majesty Queen Victoria ch 36 intituled 'An Act for regulating the sale of waste lands belonging to the Crown in the Australian Colonies' and the Act of the tenth year of the reign of Her Majesty Queen Victoria ch 104 intituled 'An Act to amend an Act for regulating the sale of waste land belonging to the Crown in the Australian Colonies and to make further provision for the management thereof'.

### **4 Power to amend or repeal orders in council**

It shall be lawful for the legislature of any colony in which the repeal of the said Act of the tenth year of Her Majesty shall have taken effect to repeal, alter, or amend any order in council made under authority of the said Act, and affecting such colony; but subject, nevertheless, so far as respects the Colonies of New South Wales and Victoria respectively, to the provisions in the said Acts of this session for the preservation and enabling the fulfilment of contracts, promises, and engagements made by or on behalf of Her Majesty with respect to lands situate in such respective colonies; and, until so repealed, and subject to any such alteration or amendments,

every such order in council shall have the same force and effect as if this Act had not been passed.

**5 Power to the Legislature of Van Diemen's Land and of South Australia when its constitution is altered to dispose of waste land notwithstanding provisions of 5 and 6 Vic c 76 and 13 and 14 Vic c 59**

(This section is not reprinted as it is not applicable to Queensland.)

**6 Existing regulations maintained in force until altered**

All regulations respecting the sale or other disposal of the waste lands of the Crown, made under the authority of the said recited Acts or either of them, which shall be legally in force in New South Wales, Victoria, Van Diemen's Land, or South Australia, at the date when the present Act shall take effect in the said colonies respectively, shall remain in force in each of the said colonies respectively until the Legislature of such colony shall otherwise provide.

**8 Past appropriations to be valid**

No appropriation which has been or shall be made of the proceeds of the sale or disposal of the waste lands of the Crown in either of the said colonies shall be deemed invalid by reason of its not having been made in accordance with the provisions of the said Acts of Parliament hereby repealed.

**9 As to the term *Governor***

In this Act—

*Governor* shall mean the person for the time being lawfully administering the government of any colony.

## 1 Index to endnotes

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## 2 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= <b>Acts Interpretation Act 1954</b>	<b>(prev)</b>	= <b>previously</b>
<b>amd</b>	= <b>amended</b>	<b>proc</b>	= <b>proclamation</b>
<b>amd</b>	= <b>amendment</b>	<b>prov</b>	= <b>provision</b>
<b>t</b>			
<b>ch</b>	= <b>chapter</b>	<b>pt</b>	= <b>part</b>
<b>def</b>	= <b>definition</b>	<b>pubd</b>	= <b>published</b>
<b>div</b>	= <b>division</b>	<b>R[X]</b>	= <b>Reprint No. [X]</b>
<b>exp</b>	= <b>expires/expired</b>	<b>RA</b>	= <b>Reprints Act 1992</b>
<b>gaz</b>	= <b>gazette</b>	<b>reloc</b>	= <b>relocated</b>
<b>hdg</b>	= <b>heading</b>	<b>renu</b>	= <b>renumbered</b>
		<b>m</b>	
<b>ins</b>	= <b>inserted</b>	<b>rep</b>	= <b>repealed</b>
<b>lap</b>	= <b>lapsed</b>	<b>(retro</b>	= <b>retrospectively</b>
		<b>)</b>	
<b>notf</b>	= <b>notified</b>	<b>rv</b>	= <b>revised version</b>
<b>d</b>			
<b>num</b>	= <b>numbered</b>	<b>s</b>	= <b>section</b>

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>o in c</b>	= <b>order in council</b>	<b>sch</b>	= <b>schedule</b>
<b>om</b>	= <b>omitted</b>	<b>sdiv</b>	= <b>subdivision</b>
<b>orig</b>	= <b>original</b>	<b>SIA</b>	= <b>Statutory Instruments Act 1992</b>
<b>p</b>	= <b>page</b>	<b>SIR</b>	= <b>Statutory Instruments Regulation 2012</b>
<b>para</b>	= <b>paragraph</b>	<b>SL</b>	= <b>subordinate legislation</b>
<b>prec</b>	= <b>preceding</b>	<b>sub</b>	= <b>substituted</b>
<b>pres</b>	= <b>present</b>	<b>unnum</b>	= <b>unnumbered</b>
		<b>m</b>	
<b>prev</b>	= <b>previous</b>		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Reprint No.</b>	<b>Amendments to</b>	<b>Effective</b>	<b>Reprint date</b>
1	1896 59 & 60 Vic c 14	20 July 1896	11 April 1996



<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
11 April 1996 rv	1896 59 & 60 Vic c 14	

## 4 List of legislation

### **Australian Waste Lands Act 1855 18 & 19 Vic c 56 (Imp)**

date of assent 16 July 1855  
 commenced on date of assent  
 amending legislation—

### **Western Australia Constitution Act 1890 53 & 54 Vic c 26 (Imp) s 4(1)**

date of assent 25 July 1890  
 commenced on date of assent

### **Statute Law Revision Act 1892 55 & 56 Vic c 19 (Imp) s 1 sch**

date of assent 20 June 1892  
 commenced on date of assent

### **Short Titles Act 1896 59 & 60 Vic c 14 (Imp) s 1 sch 1**

date of assent 20 July 1896  
 commenced on date of assent

## 5 List of annotations

Note—The short title was given to this Act by the Short Titles Act 1896 59 & 60 Vic c 14 (Imp) s 1 sch 1.

**Preamble** amd 55 & 56 Vic c 19 s 1 sch

### **5 and 6 Vic c 36 and 9 and 10 Vic c 104 repealed**

s 1 om 1892 55 & 56 Vic c 19 s 1 sch

### **Periods at which this Act is to take effect in the Australian colonies respectively 13 and 14 Vic c 59**

s 2 om 1892 55 & 56 Vic c 19 s 1 sch

### **Powers of the repealed Acts continued for certain purposes in this country**

s 3 amd 1892 55 & 56 Vic c 19 s 1 sch

### **Power to the Legislature of Van Diemen's Land and of South Australia when its constitution is altered to dispose of waste land notwithstanding provisions of 5 and 6 Vic c 76 and 13 and 14 Vic c 59**

s 5 (This section is not reprinted as it is not applicable to Queensland.)

### **Power to regulate the disposal of waste lands in Western Australia**

s 7 om 1890 53 & 54 Vic c 26 s 4(1)

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