

REYNELLA OVAL (VESTING) ACT, 1973

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Reynella Oval (Vesting) Act, 1973, No. 62 of 1973 [Assented to 29th November, 1973]¹.

An Act to vest certain land in The District Council of Noarlunga.

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Reynella Oval (Vesting) Act, 1973". Short title.
2. This Act shall come into operation on a day to be fixed by proclamation¹. Commencement.
3. In this Act, unless the contrary intention appears— Definitions.
 - "the Council" means The District Council of Noarlunga²;
 - "the Oval" means the whole of the land comprised in Certificate of Title Register Book 1002 Folio 72, Certificate of Title Register Book 1002 Folio 105 and Certificate of Title Register Book 1021 Folio 189;
 - "the Trustees" means the trustees who are the lawful successors to the trustees of a trust created by a certain indenture dated the fourteenth day of October, 1914 between Walter Reynell & Sons, Elizabeth Mary Regan, Matilda Augusta Brockmeyer, Frank Liddell Byard, James Eglington, Walter Thomson, Lorimer Ralph Whitaker, Alfred James Huish, Charles Augustine Keniham, Thomas Richard Wickam and Herbert James Gillingham Candy of the first part, Walter Reynell, the said Elizabeth Mary Regan, the said Matilda Augusta Brockmeyer of the second part and Jesse Lemon, Arthur William Graves, Alexander Cecil Pocock of the third part;
 - "the Registrar-General" means the person for the time being holding the office of Registrar-General under the Real Property Act, 1886-1972³, or the Registrar-General of Deeds under the Registration of Deeds Act, 1935-1962⁴.
4. On and after the day of commencement of this Act the Oval shall— Vesting of Oval.
 - (a) cease to be vested in the Trustees;
 - and
 - (b) vest in the Council for an estate in fee simple freed and discharged from any trust, estate, right, title, interest, claim or demand of any description whatsoever.

¹ Came into operation 30th May, 1974: *Gaz.* 30th May, 1974, p. 2095.

² Since the enactment of the definition of "the Council" the district council district of Noarlunga has been constituted a municipality: (*Gaz.* 20th November, 1975, p. 2798).

³ Now Real Property Act, 1886-1975.

⁴ Now Registration of Deeds Act, 1935-1973.

Action by or
against the
Trustees.

5. (1) Subject to subsection (2) of this section, on and after the commencement of this Act, all claims, actions or proceedings which—

(a) could have been made or commenced by or against the Trustees in their capacity as such, may be made or commenced by or against the Council in all respects as if the Council were the Trustees;

and

(b) before that day had been made or commenced by or against the Trustees, in their capacity as such, may be continued by or against the Council in all respects as if the Council were the Trustees and the name of the Council shall be substituted for the names of the Trustees, in any such claim, action or proceeding.

(2) Notwithstanding anything in subsection (1) of this section, no claim, action or proceeding in relation to any trust, estate, right, title, interest, claim or demand referred to in paragraph (b) of section 4 of this Act shall, pursuant to that section, be made, commenced or continued against the Council.

Application of
Part XXII of the
Local
Government
Act to Oval.

6. Part XXII of the Local Government Act, 1934-1972¹, shall apply to and in relation to the lands comprised in the Oval as if—

(a) those lands had been set apart for the use of the inhabitants of the area of the Council;

and

(b) the Council had by resolution assumed the care, control and management of the lands.

Power of the
Registrar-
General.

7. After the day of commencement of this Act the Registrar-General shall, upon the application of the Council, cause to be made such entries and endorsements in any register book or other record in his custody and on any document of title as he considers appropriate for giving full effect to this Act.

¹ Now Local Government Act, 1934-1975.