

CEMETERIES AMENDMENT BILL

EXPLANATORY NOTE

THE purpose of this Bill is to authorize the Trustees of a cemetery to grant leases for terms not exceeding five years of any unused portion of the cemetery, and to enable them, with the consent of the Minister of Health, to contribute to the maintenance of some other cemetery.

Hon. Mr Marshall

CEMETERIES AMENDMENT

ANALYSIS

Title. | 1. Short Title.
| 2. Restrictions on alienation.

A BILL INTITULED

AN ACT to amend the Cemeteries Act 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority
5 of the same, as follows:

1. This Act may be cited as the Cemeteries Amendment Act 1953, and shall be read together with and deemed part of the Cemeteries Act 1908 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. I, p. 731

10 2. The principal Act is hereby amended by repealing section thirteen, and substituting the following section:

Restrictions on alienation.

“ 13. (1) The Trustees shall not make use of the land comprised in the cemetery for any purpose except such as is authorized by this Act, or charge or alienate that
15 land or any part thereof by mortgage, sale, or otherwise, or dispose of the rents, issues, and profits thereof, except as in this Act is expressly provided.

“ (2) The Trustees may grant leases of any unused portion of the land comprised in the cemetery for any
20 term not exceeding five years for such consideration or at such rent and upon such terms and conditions and in such manner as they think fit, and may accept surrenders of any such leases:

“ Provided that the area to be leased shall be adequately fenced off from that portion of the cemetery that is in use in order to prevent unauthorized access to or the trespass of animals on that portion:

“ Provided also that, subject to the provisions of subsection three of this section, all moneys received by the Trustees under any such lease shall be devoted solely to the maintenance of the cemetery. 5

“(3) Notwithstanding anything to the contrary in this Act, the Trustees may from time to time with the consent of the Minister apply any moneys received by them in respect of the cemetery, whether before or after the commencement of this section, towards the management, administration, or improvement of any other cemetery.” 10 15