

Assented: 676/87



ANNO VICESIMO QUINTO ET VICESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1862.

No. 19.

An Act for the Regulation of Cemeteries.

[Assented to, 21st October, 1862.]

WHEREAS it is expedient to regulate Cemeteries in the Province of South Australia—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:—

Preamble.

1. The Governor, with the advice of the Executive Council, may make rules or regulations with respect to any cemetery for regulating the positions and the depths of the graves, and construction of coffins to be admitted into vaults, and the covering of vaults so as to prevent the escape of any noxious exhalation, and generally for all sanitary purposes connected with any cemetery, and such rules and regulations shall be published in the *South Australian Government Gazette*.

Governor may make rules and regulations.

2. The Governor, with the advice of the Executive Council, whenever any cemetery or part of a cemetery now existing, or hereafter to be opened, shall appear unsuitable for the purpose of burial therein may, by Proclamation in the *South Australian Government Gazette*, order the total closing of such cemetery, or part of a cemetery; and upon such Proclamation being duly published, the land described therein shall cease to be used as a place of interment, saving the right of any person who may have acquired a portion of the cemetery for a vault or grave to bury any member of his family therein.

Governor may close cemetery.

Burying in place not
proclaimed a cemetery.

Appropriation of
penalties.

Corpses may be
removed.

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Regulations to be
published and laid
before Parliament for
fourteen days, when
they become law.

3. If any person shall, contrary to Proclamation as aforesaid, cause or allow any burial to take place in ground which, having been used as a cemetery, shall, by Proclamation, have been ordered to be closed, as aforesaid, or shall in any way infringe the regulations as aforesaid, such person shall, on conviction before two or more Justices of the Peace, forfeit and pay a penalty not exceeding Fifty Pounds, which, when recovered, shall be paid to the Treasurer of the said Province, for the public purposes thereof.

4. Under regulations to be made by the Governor, with the advice of the Executive Council, a corpse may be removed from any place of interment to any family vault or grave situated either in a public cemetery or on private lands.

5. All regulations made as aforesaid shall be published in the *South Australian Government Gazette*, and shall thereupon have the force of law: Provided that a copy of all such regulations shall be laid before Parliament within fourteen days from the publication thereof as aforesaid if Parliament shall then be sitting, and if Parliament shall not then be sitting, then within fourteen days from its next sitting for the dispatch of business.

In the name and on behalf of the Queen I hereby assent to
this Act.

D. DALY, Governor.