

Mr Bailey

**ST. JOSEPH'S ROMAN CATHOLIC CHURCH (UPPER
HUTT) BURIAL GROUND**

[PRIVATE]

ANALYSIS

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A BILL INTITULED

An Act to authorise the Roman Catholic Archbishop of Wellington to partially close a burial ground in the grounds of St. Joseph's Roman Catholic Church situate at Pine Avenue, Upper Hutt, to remove all headstones, monuments, and grave surrounds erected in the said burial ground and to erect a monument common to all persons interred in the said burial ground

WHEREAS the Roman Catholic Archbishop of Wellington is registered as the proprietor of an estate in fee-simple in all that piece of land more particularly hereinafter described: And whereas the said piece of land has been used as a burial ground and there are at the present time a number of plots still remaining in the burial ground which have been sold or reserved but have not yet been utilised: And whereas the Archbishop has experienced difficulty in keeping the said

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piece of land and the headstones, monuments, and grave surrounds thereon in a neat and tidy condition: And whereas it is expedient that the headstones, monuments, and grave surrounds should be removed and the said piece of land levelled and laid out in lawns with ornamental trees and shrubs: And whereas the Archbishop wishes that the persons to whom the unused plots have been sold or reserved should still be entitled to use the said plots: And whereas the Archbishop has no powers without legislation to give effect to his wishes: 5 10

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

1. **Short Title**—This Act may be cited as the St. Joseph's Roman Catholic Church (Upper Hutt) Burial Ground Act 15 1969.

2. **Interpretation**—In this Act, if not inconsistent with the context,—

“The said piece of land” means the burial ground forming part of St. Joseph's Roman Catholic Church property, Pine Avenue, Upper Hutt, being one rood eight perches (1 r. 8 p.), more or less, being part Section 119, of the Hutt District, and being part of the land contained in certificate of title, Volume 348, folio 150 (Wellington Registry): 20 25

“The Archbishop” means the Roman Catholic Archbishop of Wellington.

3. **Closing burial ground**—The said piece of land is hereby closed save and except for those plots which have been sold or reserved at the date of the coming into force of this Act. 30

4. **Power to remove headstones, etc.**—The Archbishop may and he is hereby empowered to remove all headstones, monuments, and grave surrounds at present erected on the said piece of land.

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5. Records to be kept—The Archbishop shall cause to be kept as complete a record as possible of the names of all persons known to be buried in the said piece of land and of the position in the same of the graves of such persons and such
5 record shall be available for inspection at the Roman Catholic Presbytery, 1 Pine Avenue, Upper Hutt, at all reasonable times.

6. Land to be laid out and kept tidy and common memorial to be erected—The Archbishop shall, as soon as conveniently
10 may be after the removal of the said headstones, monuments, and grave surrounds, cause the said piece of land to be levelled and planted in grass, trees, and shrubs, and at all times thereafter kept in a tidy condition, and also shall cause
15 to be erected on the said piece of land a suitable memorial inscribed with the names of the persons known to be interred therein.

7. Remains not to be removed nor land used except as closed burial ground—Nothing herein shall empower or be
20 deemed to empower the Archbishop to remove or disturb the remains of any persons buried in the said piece of land nor to dispose of the said piece of land nor to use the same for any purpose other than as a closed burial ground.

8. Private Act—This Act is hereby declared to be a private Act.