

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Thursday, the 24th Day of August, 1950

CEMETERIES AMENDMENT BILL

Proposed Amendments

Hon. Mr. WATTS, in Committee, to move the following amendments:—

To insert, after clause 1, the following new clause:—

1A. Section four of the principal Act is hereby amended by adding the following subsection:—

“(4) Notwithstanding anything to the contrary in any Act or rule of law no person shall be incapable of being at the same time a Trustee of a cemetery and in the employment of the Trustees of that cemetery.”

Employees of cemetery Trustees not disqualified from acting as Trustees.

To insert, after clause 2, the following new clause:—

2A. The principal Act is hereby amended by inserting, after section thirty, the following new section:—

“30A. (1) The Trustees of a cemetery which is a lawn cemetery or of which a portion has been set apart as a lawn cemetery may enter into agreements to maintain, either in perpetuity or for specified periods, the grassed surface of the graves in the cemetery or in that portion, as the case may be, and may by resolution prescribe the fees to be taken in respect of those agreements.

Trustees may undertake maintenance of graves in lawn cemetery.

“(2) All such fees received by the Trustees shall, unless the Minister otherwise directs, be invested in such securities (being securities in which, for the time being, trust moneys may lawfully be invested under the provisions of the Trustee Act, 1908), in such manner, and for such periods as the Trustees may decide.

See Reprint of Statutes, Vol. VIII, p. 873

“(3) When the cemetery has been closed under the provisions of this Act, the Trustees may continue to apply any moneys received by them under this section and then unexpended in the maintenance of the graves in the cemetery or in the lawn portion thereof, as the case may be, or may apply the whole or any part of those moneys in the erection in the cemetery of a suitable memorial inscribed with the names of the persons known to be interred therein or in that portion.

“(4) Subject to the provisions of this section, the income derived from the investment of moneys received by the Trustees under this section shall be applied by them in the maintenance of the graves in the cemetery or in the lawn portion thereof, as the case may be, in respect of which the moneys were received.”