

60° VICTORIÆ, 1897.

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## A BILL

To amend the Law relating to Cemeteries, and to the Burial  
of the Dead.

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

*Application of Act.*

1. This Act shall apply to every cemetery in New South Wales; Cemeteries to which this Act applies. and every statute, deed of grant, conveyance, declaration of trust, or other document inconsistent with its provisions shall, to the extent of that inconsistency, be void and inoperative.

*Trustees of Cemeteries.*

2. (1) Any persons whose names have been, before or after Notification of trustees. the day when this Act takes effect, notified by the Governor in the Gazette as trustees of a cemetery shall, for the purposes of this Act, be deemed trustees of that cemetery.

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Trustees

Trustees duly appointed as trustees of a cemetery, but not notified as aforesaid before the said day, shall be notified within three months after the said day.

Trustees appointed as aforesaid after the said day shall be notified as soon as convenient after their appointment.

No persons other than those notified under this subsection shall have the powers conferred or be subject to the liabilities imposed by this Act on trustees of cemeteries.

(II) The Minister may require any person acting or purporting to act in the administration of the affairs of any cemetery to answer such questions as in his opinion are necessary to enable the Governor to carry out the provisions of this section. Any person who neglects or refuses to answer any of the said questions, or wilfully gives a false answer thereto, shall be liable to a penalty not exceeding *ten* pounds.

3. (I) The Governor may remove any trustee from the trusts of a cemetery :

Removal of trustees and appointment of new trustees.

Provided that a trustee of a cemetery, used for the burial of the dead of a particular religious denomination only, who has been appointed by some person other than the Governor shall not be removed as aforesaid from the trusts of the cemetery for any cause other than a breach of this Act or of the regulations thereunder in force within the cemetery unless with the consent of the head of the said religious denomination.

(II) Upon the death, resignation, or removal of a trustee of a cemetery, the Governor may appoint a new trustee in his place :

Provided that in the case of a trustee of a cemetery used for the burial of the dead of a particular religious denomination only, who has not been appointed by the Governor, the power of appointing a new trustee on his death, resignation, or removal shall not be exercised by the Governor unless the person (if any) having, but for this Act, the right of making the appointment has, for three months after the vacancy has occurred, neglected to appoint a new trustee.

#### *Closing of cemeteries and establishment of new cemeteries.*

4. It shall be lawful for the Governor by proclamation in the Gazette to declare that any cemetery or any specified part of a cemetery shall, after the expiration of a period to be therein mentioned, not being less than *three* months from the publication of the proclamation as aforesaid, be closed to burials.

Governor may close a cemetery or any part thereof.

And the Governor may by proclamation as aforesaid amend, alter, or revoke any proclamation made under this section.

On and after the expiration of the said period no body shall be buried in the said cemetery or in the said part of the cemetery unless under the authority and in accordance with a license given as hereinafter mentioned. And any person burying or attempting to bury, or assisting to bury a body in contravention of this section, shall be liable to a penalty not exceeding *twenty* pounds :

Provided that where any person within *six* months after the expiration of the period mentioned in the proclamation proves to the satisfaction of the Board of Health that he has an exclusive right of burial in some part of the cemetery, purchased or acquired before the publication of the proclamation, the said board may at any time grant a license for the exercise of the said right of burial during such time and subject to such conditions and restrictions as may be thought fit, if the said board is satisfied that the exercise of the right will not be injurious to health.

Every license granted as aforesaid shall be entered in a register to be kept by some officer of the said board.

5. No cemetery shall be established but with the approval of the Governor, and subject to the following conditions:—

- (a) The cemetery at the time of its establishment shall not at any point be within the distance of one mile from the boundary of any city or town containing, according to the then last census, four thousand or more inhabitants, unless the Board of Health certifies that burials in the cemetery within the said distance will not be injurious to public health.
- (b) The approval of the Board of Health shall be first given as to the suitability of the site for the cemetery.

No cemetery shall be established but with approval of the Governor.

Any person who establishes a cemetery as to which the above-mentioned conditions have not been fulfilled, or as to which the approval of the Governor has not been given, shall be liable to a penalty not exceeding *twenty* pounds. And any person who uses for the burial of the dead a cemetery established in contravention of this section shall be liable to a penalty not exceeding *five* pounds for every day that the cemetery is so used.

*Regulation of cemeteries and of the burial of the dead.*

6. No body shall be buried within any place of public worship, or within ten yards from any place of public worship or any building which has been, is, or may be occupied by man.

No body is to be buried within or near a church or building.

No body shall be buried in any land not placed in trust for the burial of the dead within twenty-five yards from any dwelling house, lake, river, creek, water-course, pond, well, or tank.

7. Not more than two bodies of adults shall be buried in the same grave, and for the purpose of this section, the bodies of two children under the age of \_\_\_\_\_ years shall be equivalent to the body of one adult.

Two bodies only may be buried in the same grave.

No coffin shall be placed in a grave if the upper part of the coffin would be within four feet of the natural surface of the soil at its lowest point adjoining the grave.

No coffin to be within four feet of the surface of the ground.

8. In any cemetery to be hereafter established the space of ten yards within and adjoining the boundaries of the cemetery, other than the boundaries adjoining some other cemetery, shall be planted with trees and shrubs, and no body shall be buried within the said space.

A space of ten yards round a cemetery shall be planted.

9. The trustees of a cemetery may enclose it or any part of it with walls and fences, and erect gates, make drains, and lay out and ornament the cemetery in a suitable manner, and construct walks, avenues, and roads, and plant trees and shrubs therein, and divide the cemetery into sections and portions.

Trustees may enclose, lay out, and ornament cemetery.

They may also maintain the cemetery, and any monuments, tombstones, buildings, erections, and improvements therein in a suitable and proper condition.

The trustees may, subject to the provisions of this Act, expend in and about the matters aforesaid the moneys from time to time in their hands or under their control.

10. (1) The trustees of a cemetery may sell and grant in the manner and subject to the conditions and restrictions prescribed—

Trustees may sell and grant exclusive right of burial.

- (a) the exclusive right of burial in any specified portion of the cemetery, either in perpetuity or for a limited period ;
- (b) the right of constructing a vault or place of burial in any specified portion of the cemetery ;
- (c) the right of erecting and placing a monument, gravestone, tablet, or monumental inscription in any specified portion of the cemetery.

And any right sold or granted as aforesaid may be transferred in the manner and subject to the conditions and restrictions prescribed, or may be disposed of by will.

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(II) No body shall be buried in any portion of a cemetery in respect of which an exclusive right of burial has been sold or granted as aforesaid unless the trustees of the cemetery or some officer appointed by them in that behalf are satisfied that the person then having the said right of burial has consented or would not object to the burial of the body as aforesaid.

11. Any person having the exclusive right of burial or the right of constructing a vault or place of burial or of placing or erecting a monument or gravestone in a portion of a cemetery may, in the manner prescribed, surrender the said right to the trustees of the cemetery. Person having an exclusive right may surrender the same.

12. The trustees shall cause all graves in the cemetery to be dug, and may charge such fees as may be prescribed for the same. Trustees to cause graves to be dug.

13. Persons desiring to construct a vault or erect a monument or gravestone within a cemetery must first submit to the trustees a plan of the vault, monument, or gravestone showing the place where it is proposed to construct or erect it, and obtain the approval of the trustees and pay the fees prescribed. And the trustees may before granting their approval direct that alterations be made in the plan submitted to them. Persons desiring to erect a monument or tombstone must first obtain the permission of the trustees.

Any person who constructs or attempts to construct a vault, or who erects or attempts to erect a monument or gravestone which is not in accordance with the plan approved by the trustees, or without having obtained the approval of the trustees, or without having paid the fees as aforesaid, shall be liable to a penalty not exceeding *twenty* pounds.

And any vault constructed, or monument, or gravestone erected without the approval of the trustees as aforesaid, or which is not in accordance with the plan approved as aforesaid may be filled in or taken down by the trustees, and the material may be removed by them from the cemetery.

14. (I) Every grave now or hereafter lined with brick or stone, and every brick or stone vault now or hereafter constructed within a cemetery shall be made and kept water-tight by the person having the exclusive right of burial therein. Provisions with regard to graves and vaults constructed of brick or stone.

(II) Every coffin now or hereafter deposited within a cemetery in a grave lined with brick or stone, or in a brick or stone vault, shall be built in and covered in a substantial way as prescribed, and the place containing the coffin shall be made and kept air-tight and water-tight, and any space surrounding the coffin shall be filled with charcoal or dry earth by the person having the exclusive right of burial in the grave or vault.

(III) If the said person fails for seven days after the receipt by him of a notice in that behalf from the trustees of the cemetery to comply with any of the requirements of this section, he shall be liable to a penalty not exceeding *twenty* pounds.

15. When the trustees of a cemetery have reasonable grounds for believing that noxious exhalations or vapours escape from any grave or vault in the cemetery, they may by notice in writing require the person having the exclusive right of burial in the grave or vault to open it for examination on some day named in the notice. Provisions in case of the escape of noxious exhalations or vapours from graves or vaults.

If the said person duly opens the grave or vault, then the trustees after inspection by themselves or their servants may by notice in writing direct the said person within seven days after receipt of the notice to effect such repairs or alterations in the grave or vault as the trustees may think necessary, and if the said person fails to effect the said repairs or alterations within the said time, the trustees may take such steps as they may think necessary to prevent the escape of the said exhalations or vapours, and may recover from the said person the expenses thereby incurred.

If the said person fails to open the grave or vault within the time limited as aforesaid, the trustees may open it and take such steps as they may think necessary to prevent the escape of the said exhalations or vapours, and recover from the said person the expenses thereby incurred.

16. The person having the exclusive right of burial in any portion of a cemetery shall maintain and keep in thorough repair any grave, vault, monument, gravestone or other erection therein or thereon; and if he fails for seven days after the receipt by him of a notice in that behalf from the trustees of the cemetery to comply with any of the requirements of this section the trustees may make such repairs and alterations to the grave, vault, monument, gravestone, or other erection as they may think proper, and may recover from the said person the expenses thereby incurred.

Persons having exclusive right of burial shall maintain grave, vault, monument, or tombstone.

17. All burials within a cemetery shall be registered in a book to be kept by the trustees of the cemetery in the manner prescribed. And every book purporting to be a register kept under the authority of this section shall be received in all Courts as evidence of the burials registered therein.

All burials to be registered.

18. The trustees of a cemetery may, and upon an order signed by a justice of the peace shall permit the body of any poor person to be buried without the payment of any fees or charges in some part of the cemetery set apart for the religious denomination to which that person belonged or was reputed to have belonged, or in the portion set apart as a general cemetery:

Burial of poor persons without charge.

Provided that a justice of the peace, before signing the order aforesaid, shall satisfy himself that the said person was a pauper, or that his relatives and friends are unable to pay the fees or charges.

19. (I) Where a cemetery, or any part of it, has been dedicated or set apart, or is used for the burial of the dead of any religious denomination exclusively, the minister of that religious denomination shall have free access to the said cemetery or part of the same at all times, and may freely exercise his spiritual functions therein without hindrance from any person whomsoever.

Rights of ministers of religion to exercise spiritual functions in a cemetery.

(II) The trustees of a cemetery shall not interfere directly or indirectly with the performance of any religious ceremony in the burial of the dead according to the usage of the religious denomination to which the deceased person belonged or was reputed to have belonged.

20. Any member of a religious denomination shall be entitled to purchase from the trustees of a cemetery at the price of fifty pounds ground sufficient for the site of a mortuary church or mortuary chapel within such part of the cemetery as is set apart for the burial of the dead of that religious denomination, and may erect a mortuary church or mortuary chapel thereon, on submitting to the trustees of the cemetery the plans and specifications of the church or chapel proposed to be built, and obtaining the approval of them by the trustees.

Erection of mortuary church or chapel.

#### *Payments and accounts.*

21. (I) Where money is appropriated out of the Consolidated Revenue Fund for the establishment or maintenance of cemeteries, or for any similar purpose, the Governor may, in accordance with the appropriation, cause such part of the said money as he may think fit to be paid to the trustees of a cemetery, for or towards the establishment or maintenance of the cemetery or for carrying out the provisions of this Act, subject to such terms and conditions as he may prescribe; and he shall forthwith on payment being made as aforesaid cause to be laid before both Houses of Parliament a return showing the particulars of the said payment.

Payment to trustees of money appropriated out of Consolidated Revenue Fund.

(II) The said payment may be either made as a loan to be repaid in whole or in part by the trustees out of the fees, charges, and other moneys received by them as trustees of the cemetery, in which case the Governor before causing the money to be paid to the trustees may require

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require them to give security (not being their personal security) that the said fees, charges, and moneys or some specified part thereof shall be applied in repayment as aforesaid; or the Governor may, in case he is of opinion that the fees, charges, and other moneys likely to be received by the trustees, ought not to be applied in repayment as aforesaid, cause the payment to be made to the trustees without requiring repayment.

22. (I) The trustees of a cemetery shall keep a full and particular account of all moneys received and expended by them, and shall make an abstract of the said account from the day when this Act takes effect to the thirtieth day of June next following the said day, and thereafter yearly from the first day of July to the thirtieth day of June next following.

Trustees must keep and furnish to the Minister accounts of moneys received and expended by them, and suggestions as to repairs and improvements.

(II) They shall on or before the first day of September in each year transmit to the Minister a copy of the account and abstract to the thirtieth day of June in the said year, verified by a statutory declaration made by three at least of the trustees. Every abstract shall be published in the Gazette.

(III) They shall also transmit with the said abstract a report as to the condition of the cemetery, and suggestions as to the repairs and improvements which they may think it desirable to make in the cemetery, and an estimate of the probable cost of effecting the same.

(IV) If the trustees of a cemetery fail to transmit the account and abstract as hereby directed, each of the trustees shall be liable to a penalty not exceeding *fifty* pounds.

23. The Minister, upon receipt of the said account, abstract, suggestions, and estimate, may direct what part (if any) of the money at credit of the trustees on the thirtieth day of June in the said year shall be paid by them into the Consolidated Revenue Fund in repayment of money lent from the said Fund to the trustees under this Act; and the trustees shall pay the said money into the said fund as directed.

Minister may direct trustees to pay money to Consolidated Revenue Fund.

The Minister may also direct the manner in which the residue of money at credit of the trustees on the day aforesaid shall be expended by them. And in default of such direction as aforesaid, or so far as it does not extend, the trustees may expend the said money as they may think fit in accordance with the provisions of this Act or as prescribed.

*Penalties and their recovery.*

24. Whosoever maliciously destroys or damages any monument, gravestone, vault, building, erection, railing, fence, shrubbery, tree, or plant in a cemetery shall, on conviction, be liable to a penalty not exceeding *twenty* pounds or to imprisonment for a period not exceeding *two* years.

Penalty for maliciously destroying or damaging buildings and trees in cemetery.

25. If any person, whether maliciously or not, destroys or damages any monument, gravestone, vault, building, erection, railing, fence, shrubbery, tree, or plant in a cemetery, he shall be liable, on being sued in any Court of competent jurisdiction, to pay to the trustees of the cemetery or the person whose property is damaged or destroyed reasonable compensation for the same.

Penalty for destroying or damaging building or tree in cemetery, whether maliciously or not.

26. If any person contravenes any of the preceding provisions of this Act for the contravention of which no penalty is herein provided he shall be liable to a penalty not exceeding *twenty* pounds.

General penalty for contravention of this Act.

27. All penalties imposed by this Act or by any by-laws, rules, or regulations made by or under the authority of or having force by virtue of this Act may be recovered before, and all offences against this Act may be heard and determined by, a police or stipendiary magistrate or any two justices of the peace in petty sessions.

Recovery of penalties and prosecution of offences.

Proceedings

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Proceedings for the recovery of penalties or for the punishment of offences may be taken by the trustees of the cemetery in respect of which the penalty has been incurred or offence committed, or by any person appointed by them, but by no other person.

*Supplemental and repeal.*

28. (I) By-laws, rules, and regulations lawfully made in respect of a cemetery, and published in the Gazette before the day when this Act takes effect shall, subject to the provisions of this Act, continue to have force and effect. Existing rules and regulations.

By-laws, rules, and regulations lawfully made in respect of a cemetery but not published in the Gazette before the said day shall, subject to the provisions of this Act on being approved by the Governor and published in the Gazette within three months after the said day, have force and effect.

(II) Where no by-laws, rules, or regulations regulating the burial of the dead are in force in a cemetery, the regulations in the Schedule to this Act shall have force in respect of that cemetery. Regulations in Schedule.

29. The trustees of a cemetery may, subject to the provisions of this Act, make regulations altering or repealing any regulations in force in respect of that cemetery, and make other regulations for carrying out the intentions of this Act, and for fixing a list of reasonable fees and charges. And they may in those regulations impose any penalty not exceeding *twenty* pounds for any breach of the same. Power to trustees to make regulations.

All regulations made as aforesaid by trustees of a cemetery shall, on being approved by the Governor and published in the Gazette, but not sooner or otherwise, have the force of law in respect of the said cemetery.

Regulations published as aforesaid shall be laid on the table of both Houses of Parliament without delay.

30. On and after the expiration of a period of three months from the day when this Act takes effect, any by-laws, rules, and regulations (other than those made by or under the authority of or having force by virtue of this Act) shall, so far as they relate to a cemetery, be void and inoperative. Operation of by-laws declared void.

31. In this Act and in any regulations made by or under this Act— Definitions.

“Cemetery” means land dedicated or used for the burial of the dead; but shall not include a private burial ground, or land used for the burial of the dead of a particular family only.

Where land dedicated or used for the burial of the dead consists of separate areas under the management of separate bodies of trustees, each separate area is a cemetery within the meaning of this Act.

“Governor” means Governor with the advice of the Executive Council.

“Minister” means Minister of Justice.

“Prescribed” means prescribed by this Act or by any by-laws, rules, or regulations made by or under the authority of or having force by virtue of this Act.

32. Sections five to eleven inclusive and sections fourteen and eighteen of the Necropolis Act of 1867, and so much of sections twenty-three and twenty-four of the Act eighth William Fourth number five as relates to cemeteries and the burial of the dead, are hereby repealed: Repeal.

Provided that such repeal shall not—

- (a) affect the previous operation of any enactment so repealed, or anything duly done, suffered, or commenced to be done under them; or
- (b)

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- (b) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed; or
  - (c) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed; or
  - (d) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;
- and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed and enforced, as if this Act had not been passed.

33. This Act shall take effect on and after the day of \_\_\_\_\_, one thousand eight hundred and ninety-seven, and may be cited as the "Cemeteries Act, 1897."

Commencement and  
short title.

SCHEDULE.

*Regulations.*

1. The meetings of the trustees shall be held not less than once in every month, and if no other day in any month be fixed by the trustees, the trustees shall meet on the third Monday of that month, unless it is a public holiday, in which case the meeting shall be held on the next ensuing day which is not a public holiday.  
Except as aforesaid, the meetings of the trustees may be held at such times and places as they may appoint, and at any meeting a majority of the trustees for the time being holding office shall form a quorum.
2. Unless otherwise lawfully required by the Governor, all moneys received in connection with the cemetery shall be paid into some bank to the credit of an account in the name of the trustees of the cemetery, and cheques drawn upon the account shall be signed by at least two trustees.
3. Subject to the provisions of the Cemeteries Act, 1897, all moneys received in connection with the cemetery shall be applied by the trustees,—firstly, in payment of salaries, wages, and current expenses; secondly, in constructing and keeping in repair fences, drains, buildings, and other permanent works; thirdly, in beautifying and adorning the cemetery.
4. The trustees may appoint a secretary, a sexton, and such officers and servants as may be necessary, and may fix the respective amounts of salary or wages to be paid to them.
5. The trustees may appoint an officer in charge who shall receive moneys, and regulate, manage, and decide all matters of detail arising in connection with the cemetery. The officer in charge may be one of the trustees, or the secretary, or such officer or person as the trustees may appoint.
6. The trustees shall divide the cemetery into sections, and shall allot portions within those sections, and shall cause a plan to be made showing the sections and portions of the cemetery, and shall sign and certify the plan when made. The plan, or a copy thereof, shall be kept for reference in the office of the officer in charge.
7. The register of burials shall contain the name and addition of every person whose body is buried in the cemetery, and the section, portion, and number of the grave in which the burial has been made, and the date of the burial; the entries shall be made immediately after each burial, and the register shall be indexed so as to facilitate searches therein.
8. The fees and charges specified in the list of fees and charges hereto annexed shall, subject to the provisions of the Cemeteries Act, 1897, be payable in advance to the trustees.
9. The trustees shall, on the sale or grant of any right as authorised by this Act and upon payment of the appropriate charge, issue a certificate in the form hereto, but the trustees may and shall refuse to sell or grant an exclusive right of burial in, or issue a certificate for more than one portion to any person if they are satisfied that an attempt is being made to create a monopoly, or to deal in those certificates in the way of business.
10. A certificate may be transferred by an endorsement in writing upon the certificate in the form hereto: Provided that no such transfer as aforesaid or disposition by will of any right sold or granted shall bind the trustees unless notice thereof is given to them within a reasonable time thereafter, and the certificate and any necessary evidence of the claimant's title produced for the inspection of the trustees.
11. Within three months from the issue of any such certificate as aforesaid, the holder of the certificate shall enclose the specified portion with a stone kerbing, and cut thereon the number of the portion as numbered on the plan of the cemetery.



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12. No trees or plants shall be planted in the cemetery, unless the same be of a species approved by the trustees.

13. Masons and other workmen shall clear away all refuse and rubbish caused by them, and shall repair and make good all damage wrought by them or their servants to the satisfaction of the officer in charge. Before commencing any work, every mason and workman shall deposit with the officer in charge the sum of ten shillings, which shall be forfeited if this regulation is not complied with.

14. The officer in charge may issue orders for burial, which orders shall authorise the burial of the body mentioned therein.

15. Before an order for burial is issued, a proper certificate of death and particulars of the length and breadth of the coffin shall be delivered to the officer in charge, and all fees and charges paid to him.

16. The undertaker or other person taking out the order for burial shall forward the same to the sexton at least eight hours before the time fixed for the burial.

17. In cases of emergency, bodies may be received and buried without an order for burial, if a proper certificate of death and the receipt of the proper officer for all fees and charges is produced to the sexton.

18. No person other than the person who has paid the fees and charges in respect of any grave or portion shall be permitted to interfere in any way with that grave or portion without the written authority of the officer in charge.

19. No minister of religion shall be entitled to receive any fee in respect of any service he may perform in connection with the burial of the dead, unless with the sanction of the trustees.

20. Every order and authority issued by the officer in charge shall be delivered to the sexton at the cemetery before any work is begun or material delivered.

21. All work in connection with any monument or grave shall be carried on under the direction and supervision of the officer in charge or, in his absence, of the sexton, and shall be carried to completion without unnecessary delay.

22. All tombs and monuments shall be set on the natural rock or on stone foundations 6 feet deep, and all vaults shall be of stone set in cement or of brick of the best quality set and cased in the best portland cement.

23. The kerbing for graves and vaults shall be of stone clean cut and rounded on the top and set on brick or stone foundations, and shall be of the following dimensions:— For graves, 6 x 14 inches, for vaults, 9 x 15 inches.

24. The areas of portions for graves shall be from 3 x 8 feet to 12 x 8 feet, the areas of portions for vaults shall be from 6 x 12 feet to 12 x 24 feet.

25. No person shall be entitled to have a portion reopened for the purpose of a second burial therein unless a certificate of exclusive right of burial has been issued in respect of that portion within two months after the first burial.

26. The trustees may take down and remove any tomb, monument, or other erection, which may become dangerous, and shall not be required to account for the materials of which the same was composed.

27. No heavy materials shall be drawn over the roads or paths of the cemetery whilst they are wet, nor shall any hand-cart be used of which the wheel-tires are less than 6 inches in width.

28. No person shall bury any body in the cemetery except in accordance with these regulations; and any person burying a body in violation of these regulations, or procuring the same to be so buried, shall be liable to a penalty not exceeding *twenty* pounds.

29. No person shall ride or drive any animal or vehicle over the roads or paths of the cemetery unless with the permission of the trustees.

30. No person shall—

- (a) Sell or buy within the cemetery any article or thing.
- (b) Distribute any handbill, card, circular, or other advertisement within the cemetery.
- (c) Put any animal or animals in the cemetery for the purpose of grazing therein, except with the consent in writing of the trustees.
- (d) Take part in any meeting other than of a religious or commemorative character within the cemetery.
- (e) Disturb any funeral service at any grave, whether by working in the neighbourhood of it or otherwise.
- (f) Discharge any firearms except at a military funeral.
- (g) Wantonly damage or disturb any flowers or other tokens placed upon any grave.
- (h) Commit any riot, breach of the peace, or nuisance, or otherwise offend against decency or decorum within the cemetery.

Any person committing any act which is a breach of this regulation shall be liable to a penalty not exceeding *twenty* pounds.

31. Any person committing or omitting any act in violation of these regulations, for which no other penalty is thereby expressly provided, shall be liable to a penalty not exceeding *ten* pounds.

32. Any person committing or omitting any act in violation of these regulations may forthwith be removed from the cemetery by any trustee, or officer or servant of the trustees, or by any constable or officer of the police force.

33. It shall be the duty of the trustees or other persons authorised by the Cemeteries Act, 1897, to prosecute offenders against these regulations.

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*List of Fees and Charges.*

	£	s.	d.
Fee for digging grave ... ..	0	10	0
Burial fee... ..	0	5	0
Burial fee for Government gaol, hospital, or asylum ... ..	1	10	0
Reception of corpse from any other cemetery and interment ... ..	2	0	0
Removal of corpse from one part of the cemetery to another ... ..	0	5	0
Burial, stillborn child ... ..	1	0	0
Reopening grave under exclusive right ... ..	1	10	0
Reopening and closing a vault ... ..	1	0	0
Land for graves, 3 x 8 feet, under exclusive right ... ..	1	15	0
Land for graves, 6 x 8 feet, under exclusive right ... ..	2	10	0
Land for graves, 9 x 8 feet, under exclusive right ... ..	3	5	0
Land for graves, 12 x 8 feet, under exclusive right ... ..	4	10	0
Land for vault, 6 x 12 feet, under exclusive right ... ..	9	0	0
Land for vault, 12 x 12 feet, under exclusive right ... ..	18	0	0
Land for vault, 12 x 24 feet, under exclusive right ... ..	0	10	0
Permission to erect stone kerbing ... ..	0	5	0
Permission to erect head or foot stone ... ..	0	10	0
Permission to erect slab over grave ... ..	2	0	0
Permission to erect tomb or monument ... ..	0	3	0
Soiling and planting grave ... ..	0	10	0
Turfing grave ... ..	0	5	0
Soiling and planting vault, small ... ..	0	10	0
Soiling and planting vault, large ... ..	1	0	0
Soiling and planting vault, double ... ..	0	5	0
Keeping in order single grave, per annum ... ..	0	2	6
Keeping in order each additional grave, per annum ... ..	0	10	0
Keeping in order small vault, per annum ... ..	1	0	0
Keeping in order large vault, per annum ... ..	1	10	0
Keeping in order double vault, per annum ... ..	0	2	6
Certified copy of entry in register ... ..			

*Form of Certificate.*

This is to certify that \_\_\_\_\_, of \_\_\_\_\_, has paid to the trustees of the \_\_\_\_\_ cemetery the sum of \_\_\_\_\_ pounds, and in consideration of such payment the said trustees do hereby grant to the said \_\_\_\_\_ the [exclusive right] of \_\_\_\_\_ in portion No. \_\_\_\_\_, section No. \_\_\_\_\_, \_\_\_\_\_ feet by \_\_\_\_\_ feet in the said cemetery, subject to the conditions prescribed by the rules and regulations for the time being in force relating to the said cemetery.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

} Trustees.

*Transfer (to be indorsed).*

I, the within named \_\_\_\_\_, do hereby transfer to \_\_\_\_\_, of \_\_\_\_\_ all my right, title, and interest in and under the within certificate.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

Witness,—