



ANALYSIS

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Forces, etc.

1997, No. 36

An Act to amend the Burial and Cremation Act 1964

[28 July 1997]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Burial and Cremation Amendment Act 1997, and is part of the Burial and Cremation Act 1964 (“the principal Act”).

(2) Section 2 of this Act comes into force on the day on which this Act receives the Royal assent.

(3) Section 3 of this Act comes into force on 1 November 1997.

2. Interpretation—Section 2 (1) of the principal Act is amended by repealing the definition of the term “still-born child”, and substituting the following definition:

“‘Still-born child’ has the same meaning as in section 2 of the Births, Deaths, and Marriages Registration Act 1995.”.

3. Burial of members of Her Majesty’s Forces, etc.—The principal Act is amended by repealing section 15, and substituting the following section:

“15.(1) Notwithstanding anything in this Act, a local authority may—

“(a) Set aside permanently a part of any cemetery under its control and management to be used for the burial of the bodies of—

“(i) Persons who have been on operational service in Her Majesty’s Forces; and

“(ii) The wives or husbands of, or persons who have lived in a relationship in the nature of marriage with, a person who has been on operational service in Her Majesty’s Forces:

“(b) Without fee,—

“(i) Permit burials to take place in the part of the cemetery set aside under paragraph (a):

“(ii) Grant (whether in perpetuity or for a limited period) the exclusive right of burial in that part of the cemetery.

“(2) The Minister of Internal Affairs may, after consultation with the Minister of Defence and the New Zealand Returned Services’ Association (Incorporated), by notice in the *Gazette*, specify a war, armed conflict, peacekeeping force, or other operation for the purposes of subsection (1).

“(3) In subsection (1), ‘operational service’ means service in a war, armed conflict, peacekeeping force, or other operation specified under subsection (2).”

This Act is administered in the Ministry of Health.
