

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Minister of Health to administer principal Act. 3. Altering financial year of Cemetery Trustees. 4. Moneys to be banked. | <p style="text-align: right;"><i>Cremation.</i></p> <ol style="list-style-type: none"> 5. Section 44 of principal Act (relating to cremation) amended. 6. Section 45 of principal Act (enabling Cemetery Trustees to make provision for cremation) amended. 7. Offences with respect to cremation. |
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1926, No. 23.

Title.

AN ACT to amend the Cemeteries Act, 1908.

[23rd August, 1926.]

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

Short Title.

1. This Act may be cited as the Cemeteries Amendment Act, 1926, and shall be read together with and deemed part of the Cemeteries Act, 1908 (hereinafter referred to as the principal Act).

Minister of Health to administer principal Act.

2. Section two of the principal Act is hereby amended by omitting the definition of the term "Minister," and substituting the following definition, namely:—

" "Minister" means the Minister of Health."

Altering financial year of Cemetery Trustees.

3. (1.) Section forty-one of the principal Act is hereby amended by omitting the word "December," and substituting the word "March."

(2.) Section forty-two of the principal Act is hereby consequentially amended by omitting the word "January," and substituting the word "April"; and by omitting the word "December," and substituting the word "March."

(3.) The statement of account to be furnished by the Trustees of any cemetery to the Audit Office in the month of April, nineteen hundred and twenty-seven, shall be in respect of the period of fifteen months commencing on the first day of January, nineteen hundred and twenty-six.

Moneys to be banked.

4. Save as provided in section fifty-six of the principal Act with respect to local authorities which are Trustees of cemeteries, all moneys received by the Trustees of any cemetery shall, forthwith after receipt by

the Treasurer or other proper officer of the Trustees, be paid into such bank as the Trustees from time to time appoint, to an account to be called "The [*Name of Cemetery*] Trustees' Account."

Cremation.

5. (1.) Section forty-four of the principal Act is hereby amended as follows:—

- (a.) By omitting the words "by will or deed duly executed," and substituting the words "by writing under his hand"; and
- (b.) By inserting, after the words "executors of such person," the words "or other persons having authority to dispose of his remains."

Section 44 of principal Act (relating to cremation) amended.

(2.) Nothing in the said section forty-four as amended by this section shall be deemed to abrogate any rule of law by virtue of which it is lawful to dispose by burning of any human remains, but every such rule shall be construed subject to any regulations made under section forty-six of the principal Act.

6. Section forty-five of the principal Act is hereby amended by adding thereto the words "and may make special provision for the burning of any human remains according to the rites of any religious denomination elsewhere than in a crematorium."

Section 45 of principal Act (enabling Cemetery Trustees to make provision for cremation) amended.

7. (1.) Every person who commits a breach of any regulation made pursuant to section forty-six of the principal Act, or who knowingly carries out or procures or takes part in the burning of any human remains except in accordance with such regulations, is liable on summary conviction to a fine of one hundred pounds, or to imprisonment for twelve months.

Offences with respect to cremation. Cf. 2 Edw. 7, c. 8, s. 8

(2.) Every person who wilfully signs or utters any false certificate with a view to procuring the cremation of any human remains commits a crime, and is liable to two years' imprisonment.

(3.) Every person who with intent to conceal the commission of an offence, or to impede the prosecution of any person for an offence, procures or attempts to procure the cremation of any human remains, or with such intent makes any declaration or gives any certificate prescribed by regulations under the said section forty-six, commits a crime, and is liable to five years' imprisonment.