

New Zealand

## ANALYSIS.

- |   |  |
|---|--|
| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Appointment of Road Boards as Cemetery Trustees validated.</p> | <p>3. Rotorua Town Council may be appointed Trustees.<br/>4. Validation to be retrospective.<br/>5. Appointment of certain Borough Councils as Trustees explained.<br/>6. Road Boards may be appointed Trustees.</p> |
|---|--|

## 1901, No. 7.

**Title.** AN ACT to validate the Appointment of certain Cemetery Trustees, and to amend "The Cemeteries Act, 1882."

[24th August, 1901.]

**Preamble.** WHEREAS the validity of the appointment of certain local authorities as Trustees of cemeteries has been questioned, on the ground that they are not "local authorities" as defined by section two of "The Cemeteries Act, 1882": And whereas in certain other cases where it was intended that the Council of a borough should be Trustees of a cemetery the appointments have been made under the name of the Corporation, or the Mayor, Councillors, and Burgesses of the borough; and it is expedient that all such appointments should be validated:

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

**Short Title.** 1. The Short Title of this Act is "The Cemetery Trustees Validation and Appointment Act, 1901."

**Appointment of Road Boards as Cemetery Trustees validated.** 2. The appointment of any Road Board as Trustees of any cemetery heretofore made or purporting to be made under section forty-five of "The Cemeteries Act, 1882," is hereby validated.

**Rotorua Town Council may be appointed Trustees.** 3. It shall be lawful for the Governor to appoint the Rotorua Town Council as the Trustees of the Rotorua Cemetery.

**Validation to be retrospective.** 4. Such validation shall in all cases be deemed to extend to the date when the appointment was made, and to all acts and proceedings (if otherwise lawful) done under such appointment.

**Appointment of certain Borough Councils as Trustees explained.** 5. Where any Cemetery Trustees have been appointed under the said section by the name of the Corporation, or of the Mayor, Councillors, and Burgesses of a borough, or of any similar name, such appointment shall be deemed to mean the Council of the borough, and shall not be invalid by reason of such misnomer.

6. Notwithstanding anything in "The Cemeteries Act, 1882," the Governor may from time to time appoint the Board of any road district situate within a county in which "The Counties Act, 1886," is in force to be the Trustees of any cemetery situate within such road district, and thereupon the jurisdiction of the County Council over that cemetery shall cease.

Road Boards  
may be appointed  
Trustees.