

ECONOMIC STABILITY (NO. 2).

11 GEO. VI. No. 47.

AN ACT to amend the *Economic Stability Act* 1947. [11 November, 1947.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Economic Stability Act (No. 2)* 1947. Short title and citation.

(2) The *Economic Stability Act* 1947* is in this Act referred to as the Principal Act.

2 Section eleven of the Principal Act is amended by omitting the words “thirtieth day of December, 1947” and substituting therefor the words “thirtieth day of June, 1948”. Duration of Act.

* 11 Geo. VI. No. 1.

CEMETERIES.

11 GEO. VI. No. 48.

AN ACT to amend the *Cemeteries Act* 1865. [11 November, 1947.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Cemeteries Act* 1947. Short title and citation.

(2) The *Cemeteries Act* 1865*, as subsequently amended, is in this Act referred to as the Principal Act.

* 29 Vict. No. 7. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 400. Subsequently amended by 4 Geo. VI. No. 3 and 10 Geo. VI. No. 29. See also 34 Vict. No. 29, 36 Vict. No. 17, 44 Vict. No. 29, 64 Vict. No. 33. (Reprint Vol. I., pp. 406 et seq.).

Continuance
in office of
trustees of
Hobart Public
Cemetery.

2 Notwithstanding anything contained in the *Cemeteries Act 1940**, the trustees of the Hobart Public Cemetery who held office immediately prior to the commencement of that Act shall be deemed at all times since such commencement to have continued in office, and shall have and be deemed at all times to have had all the powers, duties and authorities conferred or imposed upon the trustees of a public cemetery under the Principal Act as if the *Cemeteries Act 1940** had not been passed.

Governor may
appoint
trustees of
Hobart Public
Cemetery.

3—(1) The Governor may, subject to this section, appoint so many trustees, not less than three, as he may think fit for the Hobart Public Cemetery (in this Act referred to as "the trustees").

(2) No person who is a minister of religion shall be eligible for appointment as a trustee.

(3) The persons who, at the commencement of this Act, hold office as trustees of the said cemetery shall be deemed to have been appointed under this Act.

(4) The trustees appointed or deemed to be appointed under this Act shall have all the powers, duties and authorities conferred or imposed upon trustees under the Principal Act.

Removal and
appointment
to be pub-
lished.

4—(1) Every appointment of trustees under this Act shall be published in the *Gazette*.

(2) Upon the publication of the notice of appointment of any trustee or trustees under this Act the legal estate in all lands and hereditaments respectively held by any former trustee or trustees for the purposes of the said cemetery and of the Principal Act shall, without any conveyance, transfer or assurance, vest in any new trustee or trustees conjointly with the continuing trustees, if any.

Quorum of
trustees.

5 The trustees shall not be competent to proceed to business at any meeting unless there are at least three of them present at the meeting.

Trustees may
adopt rules,
&c.

6 The trustees may adopt rules for convening meetings, and such other rules and regulations as may be necessary for their own guidance and management.

Trustees to
keep accounts
of moneys
received and
expended.

7 The trustees shall keep complete and accurate accounts of all moneys received and expended by them.

Custody and
application of
moneys
received by
trustees.

8 All moneys received by the trustees on account of fees payable to them under the Principal Act shall be paid by them into some bank to an account to be called "the Account of the Trustees of the Hobart Public Cemetery", and no sum of money whatever shall be drawn out from that account except by cheque signed by at least two of the trustees.

9 Any act, matter, or thing required by law to be done, performed, or executed by the trustees may be lawfully done, performed, and executed by any three of such trustees.

Acts of three trustees valid.

10 In any instrument made or entered into by the trustees, and in any proceedings taken by or against the trustees, it shall be sufficient to describe the trustees as "the Trustees of the Hobart Public Cemetery" without otherwise naming them.

Description of trustees in instruments and legal proceedings.

11—(1) The trustees shall, before the last day of February in every year, forward to the Auditor-General a complete statement of accounts accompanied with proper vouchers in support thereof, and all such books, papers, and writings in the custody or power of the trustees relating thereto, as the Auditor-General requires to be furnished to him.

Accounts to be forwarded to Auditor-General.

(2) The Auditor-General shall make and deliver to the trustees a special report upon such accounts, or, if the accounts are found correct, the Auditor-General shall confirm and sign the same in token of his allowance thereof.

(3) The statement of accounts shall be published in the *Gazette* by the Auditor-General as soon as may be after such accounts have been audited.

12—(1) The council of a city (other than the City of Hobart) or municipality in which a public cemetery is situated, and the trustees of the Hobart Public Cemetery, may sell or otherwise dispose of any part of the cemetery which is not required for the purposes of the Principal Act.

Land not required may be sold.

(2) Notwithstanding anything contained in subsection (1), in any case where, in pursuance of the Principal Act or of any by-laws or regulations thereunder, the exclusive right of burial or interment in any burial place in any public cemetery has (whether before or after the commencement of this section) been sold or granted to any person as a private or family burial place, the council or trustees shall not, under the authority of that subsection, sell or dispose of that part of the cemetery in which such burial place is situated unless they have first granted to such person, free of charge, the like right of burial or interment in such other part of the cemetery (or of some other cemetery under the control of the council or trustees) as may be agreed upon between such person and the council or trustees, or, in default of agreement, as may be settled by arbitration in accordance with the provisions of the *Arbitration Act* 1892, and the provisions of that Act shall apply to the arbitration as if it were a submission under that Act.

(3) The costs of any such arbitration shall, in every case, be borne by the council or trustees, as the case may be.