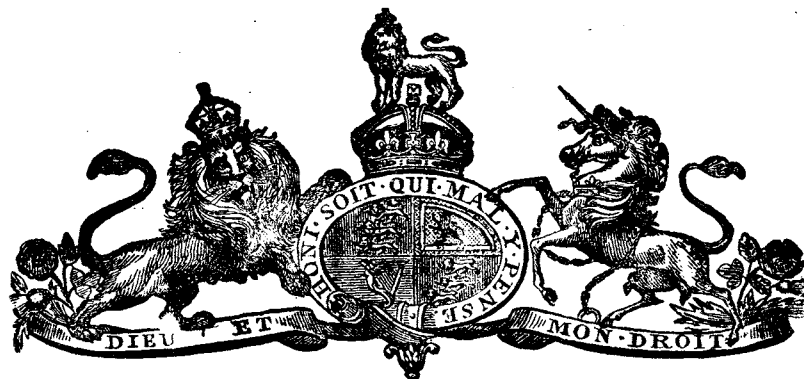


TASMANIA.



1905.

ANNO QUINTO

EDWARDI VII. REGIS,

No. 27.



AN ACT to regulate the Burning of Human Remains. A.D. 1905.
[20 November, 1905.]

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 This Act may be cited as “The Cremation Act, 1905.”

Short title.

2 In this Act—

Interpretation.

“Chief Secretary” means the Chief Secretary for the time being of the State of *Tasmania* :

“Chief Health Officer” means the Chief Health Officer for the time being appointed under the “The Public Health Act, 1903.”

3 From and after the commencement of this Act, it shall not be lawful to burn or cremate human remains—

Cases in which cremation unlawful.

I. Which have not been identified ; nor

II. In any case where the Attorney-General, or a Coroner, or Police Magistrate, by order in writing under his hand, forbids the burning or cremation ; nor

Cremation.

A.D. 1905.

III. Without the previous consent in writing of the Chief Secretary: nor

IV. In any place not approved of for the purpose by the Chief Health Officer, by writing under his hand.

Penalty.

Every person who shall contravene, or assist in contravening, or attempt to contravene, any of the provisions of this Section, shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the Court, to a penalty not exceeding Five hundred Pounds, or to be imprisoned for any term not exceeding Five years.

Governor
may make
Regulations.

4—(1.) The Governor may from time to time make Regulations prescribing conditions, without the observance whereof no burning or cremation of human remains shall take place; and such Regulations on publication in the *Hobart Gazette* shall have the full force of law.

(2.) Every person who shall contravene any such Regulation as aforesaid shall be liable on summary conviction to a penalty not exceeding Fifty Pounds.

(3.) Every information for any breach of any such Regulation and all penalties imposed shall be heard, determined, and recovered in a summary way by and before a Police Magistrate or any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

(4.) Any person who thinks himself aggrieved by any penalty imposed or conviction under the authority of this Section may appeal against the same in the manner prescribed by *The Appeals Regulation Act*.

Saving for
Coroners.
37 Vict. No. 13.

5 Nothing in this Act shall interfere with the jurisdiction of any Coroner under "The Coroners Act, 1873," or any Act amending the same; and nothing in this Act shall authorise any person to create or permit a nuisance.