

Legislative Council

Cemeteries Legislation Amendment (Unused Burial Rights) Bill

Schedule of the amendments agreed to in Committee of the Whole
on Wednesday 14 November 2001.

- Govt** No. 1 Page 3, Schedule 1, line 6. Insert “, or any previous body of trustees for the portion concerned” after “it”.
- R Jones** No. 2 Page 3, Schedule 1. Insert after line 11:
- (6) At any time before the expiry of the period for responding to the notice, the holder of the exclusive rights of burial concerned may enter into negotiations with the relevant body of trustees for:
- (a) the sale of those rights to the trustees, or
- (b) the retention of those rights.
- Govt** No. 3 Page 3, Schedule 1, lines 15 to 19. Omit all words on those lines.
- Govt** No. 4 Page 4, Schedule 1. Insert after line 9:
- (3) If there is no alternative burial place available, or if there is no applicable scale of fees, the amount of compensation referred to in subsection (2) (b) is to be ascertained in accordance with the regulations.
- R Jones** No. 5 Page 4, Schedule 1. Insert after line 12:
- (4) Despite section 24 (2), if the former holder of the revoked exclusive rights of burial is granted exclusive rights of burial for an alternative burial place, any assignment of those rights is of no effect if made by the former holder within 5 years after the date on which they were granted.
- Govt** No. 6 Page 4, Schedule 1. Insert after line 15:
- (5) A former holder of revoked exclusive rights of burial may apply to the Minister for a review of any election of the relevant body of trustees under this section.
- (6) The Minister’s decision on such a review:
- (a) is final, and
- (b) is taken to be the decision of the relevant body of

trustees, and
(c) is to be given effect to accordingly.

Govt No. 7 Page 4, Schedule 1. Insert after line 18:

[3] Section 37 Regulations

Insert after section 37 (2) (b):

(b1) the accounts to be kept by trustees under this Act,

Govt No. 8 Page 6, Schedule 2, line 7. Insert “, or any previous reserve trust for the cemetery concerned,” after “it”.

Govt No. 9 Page 6, Schedule 2, lines 11 to 15. Omit all words on those lines.

R Jones No. 10 Page 7, Schedule 2. Insert after line 5:

(4) Despite clause 29, if the former holder of the revoked exclusive rights of burial is granted exclusive rights of burial for an alternative burial place, those rights may not be transferred by the former holder within 5 years after the date on which they were granted.

Govt No. 11 Page 7, Schedule 2. Insert after line 5:

(4) A former holder of revoked exclusive rights of burial may apply to the Minister for a review of any election of the relevant body of trustees under this section.

(5) The Minister’s decision on such a review:

(a) is final, and

(b) is taken to be the decision of the relevant body of trustees, and

(c) is to be given effect to accordingly.

Govt No. 12 Page 8, Schedule 3.1. Insert after line 11.

(p3) the accounts to be kept by reserve trusts,