

# ALBANY PUBLIC CEMETERIES SUBSIDIES.

1° Elizabeth II., No. XXI.

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No. 21 of 1952.

**AN ACT to empower the Municipality of Albany and the Albany Road Board to subsidise the funds of the Trustees of the Albany Public Cemeteries, and to authorise the making and levying of rates to obtain moneys for that purpose.**

*[Assented to 19th November, 1952.]*

**BE** it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

**Short title.**

1. This Act may be cited as the *Albany Public Cemeteries Subsidies Act, 1952.*

2. In this Act, unless the context otherwise requires—

“Albany Public Cemeteries” means Reserve 23074, and the lands reserved and proclaimed as a public cemetery pursuant to the provisions of the Albany Cemeteries Act, 1923 (Act No. 23 of 1943) and now Reserve 22406. Interpre-  
tation.

“Board” means the Board of the Albany Road District;

“Council” means the Council of the Municipality of Albany;

“districts” means the municipal district of the Municipality of Albany and the road district of the Albany Road Board;

“local government Acts” means the Municipal Corporations Act, 1906-1951 and the Road Districts Act, 1919-1951.

3. The Council and the Board are hereby each empowered to pay from time to time to the Trustees of the Albany Public Cemeteries out of their ordinary revenue or out of the proceeds of any special rate levied pursuant to the provisions of this Act, such sums of money as the Council and the Board respectively shall think fit for the purposes of the establishing, maintaining or management of the Albany Public Cemeteries, or for the repayment of any moneys borrowed from time to time by the Trustees for such purposes. Council and  
Board  
empowered  
to pay  
money to  
Cemetery  
Trustees.

4. (1) For the purposes of this Act the Council and the Board are each hereby authorised to make, levy and impose a special rate to be known as a “Cemetery Rate” upon all rateable land within their respective districts or upon all rateable land within a prescribed portion of their respective districts. Council and  
Board  
authorised  
to levy  
rates.

(2) Such rate may be levied upon either the unimproved capital value or the annual value and shall not exceed, in any one year, one halfpenny in the pound on the unimproved capital value or two-pence in the pound on the annual value.

(3) Such rate shall be in addition to any rate which the Council or the Board are empowered to make, levy and impose under the authority of their respective Local Government Acts and shall not affect any rating limits which those Local Governments Acts impose.

Moneys  
to be paid  
to special  
account.

5. The moneys collected by the Council and the Board respectively from rates made, levied and imposed under this Act shall, when collected, be carried to a special account in the financial records and shall be applied for the purpose of this Act and not otherwise.

Provisions  
of local  
government  
Acts to  
apply to  
levying  
rates.

6. Subject to this Act, the provisions of the local governments Acts relating to the making and levying of rates shall apply to the making and levying of rates under this Act.

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