



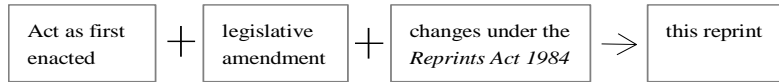
Western Australia

Busselton Cemetery Act 1944

Reprint 1: The Act as at 14 February 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 14 February 2003

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An Act to revest certain lands in His Majesty and for other purposes relative thereto.

Preamble

Whereas the lands described in, the first and second columns of the Schedule are vested in the persons as set out in the third column of the said Schedule for the purposes set out in the fourth column of the said Schedule; and whereas the said lands have not for some time past been required or used for the said purposes and it is therefore deemed expedient to revest the said lands in His Majesty and to make other provision in relation thereto: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows: —

1. Short title

This Act may be cited as the *Busselton Cemetery Act 1944*¹.

2. Land revested in His Majesty

From and after, the commencement of this Act all rights of property which may have at any time been vested by statute or

otherwise in the persons or corporations mentioned in the third column of the Schedule or in any other person or persons or corporation whatsoever in any part of the lands described in the first and second columns of the said Schedule shall absolutely cease and determine, and the whole of the said lands and all the right and title in law or in equity thereto shall be and the same are hereby vested in His Majesty, freed and released from all and every trusts or trust affecting the same.

3. Lands revested to be deemed to be a disused burial ground and to be placed under the control of the Shire of Busselton

The following provisions shall apply to the lands when revested as aforesaid —

- (1) Notwithstanding that the said lands shall have become vested in His Majesty as aforesaid, the said lands shall be deemed to be and continue a disused burial ground within the meaning and for the purposes of the *Cemeteries Act Amendment Act 1902*, but instead of being vested in trustees under the provisions of that Act, shall be placed under the management and control of the Shire of Busselton as a board appointed under the provisions of the *Parks and Reserves Act 1895*, which shall manage and control the said lands as a disused burial ground as aforesaid.
- (2) The Shire of Busselton as such board aforesaid shall not be deemed to have any vested estate or interest in the said lands, but otherwise shall have in respect to the said lands all the rights, powers, authorities, duties and obligations of the trustees of a disused burial ground which has been vested in such trustees under the provisions of the said *Cemeteries Act Amendment Act 1902*.

[Section 3 amended by No. 14 of 1996 s. 4.]

Schedule

Land.	Reference.	Proprietors.	Purpose of Grant.
Busselton Suburban Lot C.	Registry of Deeds enrolment No. 2597 and memorial registered in Book XV., No. 641	Granted to the Right Reverend Father in God, Mathew Blagden Hale, Lord Bishop of Perth, but now vested in the Diocesan Trustees of Bunbury, Incorporated	Cemetery.
Busselton Suburban Lot C1.	Registry of Deeds enrolment No. 2611	Granted to the Reverend Martin Griver, a Roman Catholic Chaplain, but now vested in the Roman Catholic Archbishop of Perth	Cemetery.



Notes

- ¹ This reprint is a compilation as at 14 February 2003 of the *Busselton Cemetery Act 1944* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Busselton Cemetery Act 1944</i>	19 of 1944	23 Dec 1944	23 Dec 1944
<i>Local Government (Consequential Amendments) Act 1996 s. 4</i>	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)

Reprint 1: The *Busselton Cemetery Act 1944* as at 14 Feb 2003
(includes amendments listed above)
