

Western Australia

## **York Cemeteries Act 1933**

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As at 28 Jun 2010

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## York Cemeteries Act 1933

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## York Cemeteries Act 1933

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

Whereas the lands described in the first and second columns of the schedule hereto are vested in various religious bodies or trustees, 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 it is desirable to revest the said lands in his Majesty, with intent that the same may be added to and form part of reserve  $\uparrow$ 20628 and together therewith be proclaimed a public cemetery:

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 *York Cemeteries Act 1933*.

**2. Lands revested to 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 to this Act, 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

**s. 3**

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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 added to reserve to be appointed a public cemetery and placed under the control of the Shire of York**

The said lands, when revested in His Majesty as aforesaid, shall forthwith be added to and become part of reserve ↑20628, and thereafter the said reserve shall be appointed a public cemetery under and for the purposes of the *Cemeteries Act 1897*, and shall be placed under the control of the Shire of York as the trustee thereof.

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

**Schedule**

Land	Reference	Proprietors	Purpose of Grant
York town lot 13	Enrolment 4418	The Right Reverend Father in God Mathew Blagden Hale, Lord Bishop of Perth	Ecclesiastical purposes in connection with the Church of England
York town lot 15	Vol. 35, Fol. 188	James Young Simpson, Superintendent Wesleyan Minister; George Shenton, merchant; Richard Watson Hardey, gentleman, all of Perth; John Henry Monger, merchant, of York, and Charles Crowther, merchant, of Geraldton, as trustee for the Wesleyan Methodist Church	No purpose disclosed
York town lot 16	Vol. 34, Fol. 26	Roman Catholic Bishop of Perth	No purpose disclosed

**Notes**

- <sup>1</sup> This is a compilation of the *York Cemeteries Act 1933* and includes all amendments effected by the other Acts referred to in the following Table <sup>1a</sup>.

**Compilation table**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>York Cemeteries Act 1933</i>	2 of 1933	16 Sep 1933	16 Sep 1933
<i>York Cemeteries Act Amendment Act 1938</i>	36 of 1938	31 Jan 1939	31 Jan 1939
<i>Local Government (Consequential Amendments) Act 1996 s. 4</i>	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)

- <sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

**Provisions that have not come into operation**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Standardisation of Formatting Act 2010 s. 4 and 50<sup>2</sup></i>	19 of 2010	28 Jun 2010	To be proclaimed (see s. 2(b))

- <sup>2</sup> On the date as at which this compilation was prepared, the *Standardisation of Formatting Act 2010* s. 4 and 50 had not come into operation. They read as follows:

**4. Schedule headings reformatted**

- (1) This section amends the Acts listed in the Table.
- (2) In each Schedule listed in the Table:
  - (a) if there is a title set out in the Table for the Schedule — after the identifier for the Schedule insert that title;
  - (b) if there is a shoulder note set out in the Table for the Schedule — at the end of the heading to the Schedule insert that shoulder note;



- (c) reformat the heading to the Schedule, as amended by paragraphs (a) and (b) if applicable, so that it is in the current format.

**Table**

<b>Act</b>	<b>Identifier</b>	<b>Title</b>	<b>Shoulder note</b>
<i>York Cemeteries Act 1933</i>	Schedule	Cemetery land	[s. 2]

**50. Heading to preamble**

- (1) This section amends the Acts listed in the Table.
- (2) In each Act listed in the Table after the long title insert:

**Preamble**