

Western Australia

Mandurah Church Burial Ground Act 1947

As at 28 Jun 2010

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Mandurah Church Burial Ground Act 1947

An Act to render unlawful the use of portion of Cockburn Sound Location No. 16 as a Burial Ground.

1. Short title

This Act may be cited as the *Mandurah Church Burial Ground Act 1947*¹.

2. Land in schedule not to be used for burials

Notwithstanding anything contained in any Act or Statute to the contrary, it shall be unlawful on and after 1 January 1948, for any person to use any portion of the land specified in the Schedule as a place for burial of the dead:

Provided that the Minister controlling cemeteries may, in special circumstances, issue a permit.

3. Penalty

- (1) Any person who on or after the date aforesaid shall assist at the burial of any dead body in any portion of the land aforesaid where no permit has been issued by the Minister for this purpose shall be liable to a fine of not more than \$100.
- (2) Every person who for the purpose of a burial as aforesaid shall bear or assist in bearing or otherwise conveying a dead body or who shall direct or procure any such burial, or shall officiate thereat as a clergyman or minister or as clerk shall be deemed to assist at such burial within the meaning of this Act.

[Section 3 amended by No. 113 of 1965 s. 8(1).]

Sch. The Schedule

The Schedule

All that piece or parcel of land situate and abutting upon the Mandurah and Fremantle Road, containing one acre (more or less), and being a portion of Cockburn Sound Location No. 16, bounded on the west by a line extending about north 7 degrees east from a spot 4½ chains about 97 degrees east from the south-east corner of Littleton's fee simple block on the north side of the Ferry Reserve; on the east side of Peel's Inlet; on the south by 3 chains 33 links of the Mandurah and Fremantle Road extending east about 7 degrees south from the said spot; and on the east and north by lines parallel and equal in length to the west and south boundaries.

All boundaries true or thereabouts. Which said parcel of land is marked and delineated in the Plan No. 1975 in the Office of Titles² at Perth as "Church Site."

Notes

- ¹ This is a compilation of the *Mandurah Church Burial Ground Act 1947* and includes the amendments made by the other written laws referred to in the following table ^{1a}.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Mandurah Church Burial Ground Act 1947</i>	85 of 1947	14 Jan 1948	14 Jan 1948
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))

- ^{1a} 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

Short title	Number and year	Assent	Commencement
<i>Standardisation of Formatting Act 2010</i> s. 4 and 51 ³	19 of 2010	28 Jun 2010	To be proclaimed (see s. 2(b))

- ² Plans formerly held in the Office of Titles are now being held by the Western Australian Land Information Authority (see the *Land Information Authority Act 2006* s. 100).
- ³ On the date as at which this compilation was prepared, the *Standardisation of Formatting Act 2010* s. 4 and 51 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

Act	Identifier	Title	Shoulder note
<i>Mandurah Church Burial Ground Act 1947</i>	The Schedule	Land not to be used for burial	[s. 2]

51. Various written laws amended

- (1) This section amends the written laws listed in the Table.
- (2) Amend the provisions listed in the Table as set out in the Table.

44. Mandurah Church Burial Ground Act 1947		
s. 2	Notwithstanding dead: Provided that the	(1) Notwithstanding dead. (2) Despite subsection (1), the

Mandurah Church Burial Ground Act 1947
