



Western Australia

Albany Public Cemeteries Subsidies Act 1952

As at 15 Nov 2013

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Albany Public Cemeteries Subsidies Act 1952

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at 15 November 2013

Western Australia

Albany Public Cemeteries Subsidies Act 1952

An Act to empower the Town of Albany and the Shire of Albany² 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.

[Long title amended by No. 14 of 1996 s. 4.]

1. Short title

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

2. Terms used

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 1943* (Act No. 23 of 1943) and now Reserve 22406;

districts means the local government districts of Albany (Town) and Albany (Shire)²;

local governments means the Town of Albany and the Shire of Albany².

[Section 2 amended by No. 14 of 1996 s. 4.]

3. Local governments empowered to pay money to cemetery Trustees

The local governments are hereby each empowered to pay from time to time to the Trustees of the Albany Public Cemeteries out of their municipal funds or out of the proceeds of any special rate levied pursuant to the provisions of this Act, such sums of money as the local governments 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.

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

4. Local governments authorised to levy rates

- (1) For the purposes of this Act the local governments 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.
- (2) Such rate may be levied upon either the unimproved capital value or the annual value and shall not exceed, in any one year, five twenty-fourths of a cent in the dollar on the unimproved capital value or five-sixths of a cent in the dollar on the annual value.
- (3) Such rate shall be in addition to any rate imposed under the *Local Government Act 1995* and shall not affect any rating limit imposed by that Act.

[Section 4 amended by No. 113 of 1965 s. 4(1); No. 14 of 1996 s. 4.]

5. Moneys to be paid to special account

The moneys collected by either of the local governments 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.

[Section 5 amended by No. 14 of 1996 s. 4.]

6. Provisions of *Local Government Act 1995* apply to levying rates

Subject to this Act, the provisions of the *Local Government Act 1995* relating to the making and levying of rates shall apply to the making and levying of rates under this Act.

[Section 6 amended by No. 14 of 1996 s. 4.]

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Notes

¹ This reprint is a compilation as at 15 November 2013 of the *Albany Public Cemeteries Subsidies Act 1952* 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>Albany Public Cemeteries Subsidies Act 1952</i>	21 of 1952 (I Eliz. II No. 21)	19 Nov 1952	19 Nov 1952
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2))
<i>Local Government (Consequential Amendments) Act 1996</i> s. 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
Reprint of the <i>Albany Public Cemeteries Subsidies Act 1952</i> as at 7 Jun 2002 (includes amendments listed above)			
Reprint 2: The <i>Albany Public Cemeteries Subsidies Act 1952</i> as at 15 Nov 2013 (includes amendments listed above)			

² The local government districts of Albany (Town) and Albany (Shire) were amalgamated in 1998 to form the local government district of Albany. The local government is the City of Albany.

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
Albany Public Cemeteries.....	2
districts.....	2
local governments.....	2