

AUSTRALIAN CAPITAL TERRITORY

Cemeteries (Amendment) Ordinance 1985

No. 56 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 21 October 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Cemeteries Ordinance 1933*

Short title

1. This Ordinance may be cited as the *Cemeteries (Amendment) Ordinance 1985*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Cemeteries Ordinance 1933*.²

Interpretation

3. Section 2 of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:

"(2) A reference in this Ordinance to a specified matter shall be read as a reference to a matter specified by the Minister pursuant to sub-section 22A (1).

“(3) A reference in this Ordinance to a determined fee shall be read as a reference to a fee determined by the Minister pursuant to sub-section 22A (1).

“(4) A reference in this Ordinance to a fixed amount shall be read as a reference to an amount fixed by the Minister pursuant to sub-section 22A (2).”.

Burial allotments

4. Section 11 of the Principal Ordinance is amended by omitting “prescribed fee” and substituting “determined fee”.

5. After section 22 of the Principal Ordinance the following section is inserted:

Fees and refunds

“22A. (1) The Minister may, by notice in writing published in the *Gazette*—

- (a) specify the matters in respect of which fees are payable for the purposes of this Ordinance; and
- (b) determine the fee payable for the purposes of this Ordinance in respect of any specified matter.

“(2) In a notice referred to in sub-section (1), the Minister may fix an amount that is to be refunded, in prescribed circumstances, from a determined fee.”.

Regulations

6. Section 23 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (c) all the words after “funeral” (first occurring) and substituting “undertakers and of the vehicles supplied by funeral undertakers for the use of mourners at funerals;”; and
- (b) by omitting paragraph (f) and substituting the following paragraph:
 - “(f) the recovery and remission of fees payable in respect of a specified matter; and”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 28 October 1985.
2. No. 29, 1933 as amended by Nos. 25 and 35, 1938; No. 18, 1942; No. 21, 1959; No. 13, 1961; Nos. 9 and 19, 1966; No. 17, 1975; No. 64, 1977; Nos. 10 and 11, 1978; No. 47, 1983.