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QUEENSLAND

**THE
CEMETERY TRUSTEES (DECLARATORY) ACT OF 1966**

No. 9

[Reprinted as at 1 August, 1981]

An Act to Declare the Law Affecting certain Rights and Duties of Trustees of Cemeteries and for other purposes

[Assented to 4 November, 1966]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and construction. This Act may be cited as "*The Cemetery Trustees (Declaratory) Act of 1966*," and shall be read as one with the "*Cemetery Act 1865*," which Act is referred to in this Act as the Principal Act.

2. Trustees may remove structures, &c. For the purpose of setting at rest any doubts as to the extent of certain powers of trustees of public cemeteries appointed under the Principal Act (in this Act called "the Trustees"), it is hereby declared that the trustees of a public cemetery have and always did have power from time to time to—

- (a) repair any structure by whomsoever erected or placed in that cemetery; or
- (b) remove and dispose, as they think fit, of any structure by whomsoever erected or placed in that cemetery,

which in their opinion is or is likely to be dangerous to the safety of any person.

In this section the term "structure" means any monument, tombstone, cenotaph, tablet, inscription, vault or other erection or structure or the remains of any of the aforementioned.

3. Application of provisions of Land Acts. For the purpose of setting at rest any doubts as to the application to a public cemetery of the provisions of sections three hundred and thirty-four to three hundred and fifty-seven, both inclusive, of "*The Land Acts, 1962 to 1965*," or of any provisions of any Act or law amending or in substitution for any of those provisions, it is hereby declared that subject to the Principal Act those provisions apply and always have applied to a public cemetery as if those provisions (with all or any necessary adaptations) were and are incorporated in the Principal Act.