

1970 Bill 37

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 37

An Act to amend The Cemeteries Act

THE MINISTER OF HEALTH

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 37

1970

An Act to amend The Cemeteries Act

(*Assented to* , 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Cemeteries Act* is hereby amended.
2. Section 2, clause (*b*) is amended by striking out the words "have been buried" and by substituting the words "are buried".
3. Section 14*a* is amended by striking out subsection (2).
4. This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill will amend chapter 12 of the Statutes of Alberta, 1960.

2. Section 2, clause (b) presently reads:

- (b) "cemetery" means land that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains have been buried;

3. Section 14a presently reads:

14a. (1) Where a plot has been sold by the owner of a cemetery for a burial site, the securities commission, on the application of the owner of the cemetery, may by order cancel any conveyance of the plot and revest the plot in the owner of the cemetery when the commission is satisfied upon evidence verified by affidavit or otherwise that

- (a) the plot is not in use as a burial site,
 - (b) the owner of the cemetery has not heard from the purchaser of the plot, or his personal representative, for a period of 20 years, and
 - (c) reasonable efforts have been made to locate the purchaser of the plot, or his personal representative, and have failed,
- but the revesting of the plot in the owner of the cemetery is subject to the condition that if that purchaser, or his personal representative, subsequently claims the plot the owner of the cemetery will provide to him another plot of equal value or will pay to him an amount equal to the value of the plot so revested.

(2) Subsection (1) applies with respect to lots containing more than one plot except when one or more of the plots in a lot is in use as a burial site.