

ENFIELD GENERAL CEMETERY (EXCHANGE OF LAND) ACT, 1952

being

Enfield General Cemetery (Exchange of Land) Act, 1952, No. 46 of 1952 [Assented to 4th December, 1952].

An Act to provide for an exchange of land between the Enfield General Cemetery Trust and the South Australian Housing Trust, to amend the Enfield General Cemetery Act, 1944-1949, and for other purposes.

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Enfield General Cemetery (Exchange of Land) Act, 1952". Short title.

2. This Act is incorporated with the Enfield General Cemetery Act, 1944-1949¹, and that Act and this Act shall be read as one Act. Incorporation.

3. (1) All those pieces of land delineated in the plan in the schedule hereto and therein margin hachured in black and marked "B" shall, on the passing of this Act, cease to be vested in the South Australian Housing Trust and are hereby vested for an estate in fee simple in The Enfield General Cemetery Trust. Vesting of land in Enfield General Cemetery Trust.

(2) All those pieces of land delineated in the plan in the schedule hereto and therein stippled in black and marked "C" shall, on the passing of this Act, cease to be under the care, control, and management of the Corporation of the Town of Enfield and cease to be streets or roads and are hereby vested for an estate in fee simple in The Enfield General Cemetery Trust.

For the purposes of the issue of a certificate or certificates of title to the land vested by this subsection in The Enfield General Cemetery Trust, the said streets or roads shall be deemed to have been closed pursuant to the Roads (Opening and Closing) Act, 1932-1946², and the provisions of that Act, *mutatis mutandis*, shall apply accordingly.

4. (1) That piece of land delineated in the plan in the schedule hereto and therein hatched in black and marked "A" shall, on the passing of this Act, cease to be vested in The Enfield General Cemetery Trust and is hereby vested for an estate in fee simple in the South Australian Housing Trust. Vesting of land in the South Australian Housing Trust.

(2) The said piece of land shall, on the passing of this Act, cease to be a public cemetery and the provisions of the Enfield General Cemetery Act, 1944-1949, shall cease to apply to that land.

¹ Now Enfield General Cemetery Act, 1944-1972.

² Now Roads (Opening and Closing) Act, 1932-1975.

Area of
cemetery.

5. All the land which under section 3 is vested in The Enfield General Cemetery Trust shall be held by the said Trust for the purpose of the public cemetery known as The Enfield General Cemetery and shall form part of the said cemetery and the provisions of the Enfield General Cemetery Act, 1944-1949¹, shall apply to the said land accordingly.

Power to
transfer land to
Corporation of
Enfield.

6. (1) The Enfield General Cemetery Trust may, upon such terms as may be agreed between the Enfield General Cemetery Trust and the Corporation of the Town of Enfield, transfer to the Corporation of the Town of Enfield a piece of land comprising part of section 340, Hundred of Yatala, County of Adelaide, and adjoining the reserve comprising part of the said section which is vested in the Corporation of the Town of Enfield but the area of the piece of land to be so transferred shall not exceed four acres.

(2) The piece of land so transferred shall, upon its transfer to the Corporation of the Town of Enfield, cease to be a public cemetery and the provisions of the Enfield General Cemetery Act, 1944-1949, shall cease to apply to the said land and the said land, after its transfer as aforesaid, shall be held by the Corporation of the Town of Enfield as a reserve.

Power of
Registrar-
General.

7. The Registrar-General may make any endorsements on or alterations of the register book or any certificate of title which are necessary to give effect to the foregoing provisions of this Act.

Amendment of
s. 23 of Enfield
General
Cemetery Act—
Advances to
Trust.

8. Section 23 of the Enfield General Cemetery Act, 1944-1949, is amended—

- (a) by striking out the word “twelve” in the first line of paragraph (b) of subsection (1) thereof and by inserting in lieu thereof the word “twenty”;
- (b) by striking out the word “fifty-five” in the last line of paragraph (b) of subsection (1) thereof and by inserting in lieu thereof the word “fifty-eight”.

Amendment of
s. 24 of Enfield
General
Cemetery Act—
Overdraft.

9. Section 24 of the Enfield General Cemetery Act, 1944-1949, is amended by striking out the word “fifty-five” in the second line thereof and by inserting in lieu thereof the word “fifty-eight”.

Amendment of
fourth schedule
of Enfield
General
Cemetery Act.

10. The fourth schedule² to the Enfield General Cemetery Act, 1944-1949, is amended—

- (a) by striking out the figures “1955” occurring in the first and third lines of paragraph 1 thereof and by inserting in lieu thereof in each case the figures “1958”;
- (b) by striking out the figures “1956” in the last line of paragraph 2 thereof and by inserting in lieu thereof the figures “1959”;
- (c) by striking out the figures “1957” in the second line of paragraph 3 thereof and by inserting in lieu thereof the figures “1960”;
- (d) by striking out the figures “1958” in the fourth line of paragraph 3 thereof and by inserting in lieu thereof the figures “1961”;
- (e) by striking out subparagraph (c) of paragraph 3 thereof and by inserting in lieu thereof the following paragraphs:—
 - (c) During the next ten financial years the trust shall annually repay on the 30th June in every year the sum of £675:

¹ Now Enfield General Cemetery Act, 1944-1972.

² The fourth schedule to the Enfield General Cemetery Act, 1944-1966, was repealed by Act No. 25 of 1972, s. 18.

- (d) Thereafter the trust shall annually repay on the 30th June in every year the sum of £1,000 until the amount advanced is repaid.

THE SCHEDULE
HUNDRED OF YATALA
COUNTY OF ADELAIDE

