

LOCAL GOVERNMENT ORDINANCE 1968

No. 7 of 1968

An Ordinance to amend the *Local Government Ordinance 1954-1967*

[Assented to 20 March, 1968]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1967*, as follows:—

Short title
and citation

1.—(1.) This Ordinance may be cited as the *Local Government Ordinance 1968*.

(2.) The *Local Government Ordinance 1954-1967* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Local Government Ordinance 1954-1968*.

2. Section 339 of the Principal Ordinance is repealed and the following section inserted in its stead:—

Council may
act as
trustees
of cemetery

“339.—(1.) A public cemetery situated within the boundaries of a municipality is vested in the Council of that municipality.

“(2.) A Council in which a public cemetery is vested has, in addition to the power to make by-laws in pursuance of this Ordinance, the powers and authorities of a Board of Trustees appointed under the *Cemeteries Ordinance 1952-1966*.”.

By-laws

3. Section 349 of the Principal Ordinance is amended by inserting after paragraph (84) the following paragraph:—

“(84A) regulating the use, control and management of any cemetery vested in the Council and in particular—

(a) regulating the digging, making and maintenance of graves, vaults and places of burial in that cemetery;

(b) prescribing the manner of disposal of bodies;

(c) prescribing the conditions under which graves, vaults and places of burial may be re-opened;

- (d) regulating the erection and maintenance of monuments, tombstones, headstones and other structures;
- (e) regulating the establishment and use of crematoria;
- (f) regulating the undertaking of funerals in that cemetery, prescribing charges therefore and prescribing the conditions under which licences therefore may be applied for and granted; and
- (g) prescribing the fee or charge in respect of any facility or service provided by the Council at that cemetery.”.

4. Section 353 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the words “(including regulations, rules or by-laws)”;
- (b) by omitting from sub-section (3.) the words “or an intention appears”; and
- (c) by adding the following sub-section:—

Inconsistency
between by-law
and other law

“(4.) In this section ‘instrument’ includes regulations, rules and by-laws made under or by the authority of an Act but does not include an Ordinance or any regulations, rules or by-laws made under or by the authority of an Ordinance.”.
