



**BERMUDA
1907 : 10**

PEMBROKE PARISH PUBLIC CEMETERY ACT 1907

ARRANGEMENT OF SECTIONS

- 1 Interpretation
- 2 Purchase of land for cemetery
- 3 Inclosure
- 4 to 29 *[omitted]*
- 30 Council may aside area to be consecrated as Anglican Church of Bermuda burial ground
- 31 Performance of burial services by ministers of any church or congregation
- 32 Council may set apart and sell burial lots
- 33 Form of grant of exclusive right of burial
- 34 Assignment or bequest of right of burial
- 35 Form of assignment
- 36 Restriction on burial where exclusive right granted
- 37 Purchase money to be paid into general funds of Council
- 38 Obligation to keep cemetery and walls in complete repair
- 39 Regulations
- 40 Saving for churchyard of Pembroke Parish Church

SCHEDULE

Forms

PEMBROKE PARISH PUBLIC CEMETERY ACT 1907

[1 March 1907]

Interpretation

1 In this Act—

"the Council" means the Parish Council of Pembroke Parish;

"the Clerk" means the Clerk of the Council.

Purchase of land for cemetery

2 The Council with the approval of the Chief Medical Officer may purchase a parcel of land or parcels of land not exceeding in the whole four acres in Pembroke Parish conveniently situated and suited for use as a public cemetery.

Inclosure

3 Every part of the cemetery shall be inclosed by substantial stone walls or iron railings of the height of four feet at least.

4 to 29 *[omitted]*

[these sections deal with the acquisition of land, the compensation of landowners, and other related matters]

Council may aside area to be consecrated as Anglican Church of Bermuda burial ground

30 The Council may set apart, but not wall or fence off, not more than one half of the land acquired under this Act for the purpose of being consecrated as a burial ground in accordance with the rites and ceremonies of the Anglican Church of Bermuda; and in the event of such consecration as aforesaid no rites and ceremonies other than those of the Anglican Church of Bermuda shall be used in the burial of persons in such consecrated portion of the cemetery.

Performance of burial services by ministers of any church or congregation

31 Subject to section 30 a burial service may be performed in the cemetery according to the rites of any church or congregation by any minister of any such church or congregation who is duly authorized by law to officiate in such church congregation, or recognized as such by the religious community or society to which he belongs.

Council may set apart and sell burial lots

32 The Council may set apart such burial lots in the cemetery as they may think fit for the purpose of granting exclusive rights of burial therein, and they may sell either in perpetuity or for a limited time, and subject to such conditions as they think fit, the exclusive right of burial in any parts of the cemetery so set apart or the right of one or more burials therein.

Form of grant of exclusive right of burial

33 The grant of the exclusive right of burial in the cemetery either in perpetuity or for a limited time, and of the right of one or more burials therein, shall be in Form A in the Schedule, or to the like effect, and shall be executed by the Clerk.

Assignment or bequest of right of burial

34 The exclusive right of burial in the cemetery shall, whether granted in perpetuity or for a limited time, be considered as the personal estate of the grantee and may be assigned in his lifetime or bequeathed by his will.

Form of assignment

35 Every such assignment made in the lifetime of the assignor shall be in Form B in the Schedule or to the like effect.

Restriction on burial where exclusive right granted

36 No body shall be buried in any place wherein the exclusive right of burial has been granted by the Council except with the consent of the owner for the time being of such exclusive rights of burial.

Purchase money to be paid into general funds of Council

37 All payments for exclusive rights of burial shall be paid into the general funds of the Council.

Obligation to keep cemetery and walls in complete repair

38 The Council shall keep the cemetery and the walls or railings thereof in complete repair, and in good order and condition, out of the general funds of the Council.

Regulations

39 The Council shall make regulations—

- (a) for governing the laying out, caretaking and management of the cemetery;
- (b) for ensuring that all burials therein are conducted in a decent and solemn manner; and
- (c) for providing for the numbering of all burial lots and the due registration of all grants of exclusive rights of burial.

Saving for churchyard of Pembroke Parish Church

40 Nothing in this Act shall be deemed to affect the churchyard contiguous to Pembroke Parish Church.

PEMBROKE PARISH PUBLIC CEMETERY ACT 1907

SCHEDULE

FORMS

FORM A

Grant of Exclusive Right of Burial

By virtue of the Pembroke Parish Cemetery Act 1907, and in consideration of the sum of [blank] to the Council of the said Parish paid by [blank] of [blank] the said Council hereby grant to the said the exclusive right of burial [or the right of burying ([blank]) bodies, as the case may be] in burial lot No. [blank] of the Public Cemetery in Pembroke Parish aforesaid to hold the same to the said [blank] in perpetuity (or for the period agreed on) for the purpose of burial.

Dated this [blank] day of [blank] 19 [blank].

By order of the Parish Council,

Parish Council Clerk.

Form B

Assignment of Exclusive Right of Burial

I A.B. of [blank] in consideration of the sum of paid to me by C.D. of [blank] do hereby assign unto the said C.D. the exclusive right of burial in burial lot No. [blank] of the Public Cemetery of Pembroke Parish which was granted to me in perpetuity (or as the case may be) by the Parish Council of Pembroke Parish by a grant dated the [blank] day of [blank] 19 [blank] and all my interest therein to hold the same unto the said C.D. in perpetuity (or as the case may be) for the remainder of the period for which the same was granted by the said Council subject to the conditions on which I held the same immediately before the execution hereof

Witness my hand and seal this [blank] day of [blank] 19 [blank].

[Amended by

1952 : 3

1952 : 11

1971 : 116]