PLEASE NOTE

This document, prepared by the Legislative Counsel Office, is an office consolidation of this Act, current to May 30, 2012. It is intended for information and reference purposes only.

This document is not the official version of the Act. The Act and the amendments as printed under the authority of the Queen’s Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the Table of Public Acts.

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CHAPTER A-11
ANCIENT BURIAL GROUNDS ACT

1. All burial grounds within the province in which the freehold is not vested in a corporation or one or more trustees for cemetery purposes and which are no longer actually used for burial purposes, are declared to be vested in the Minister of Environment, Labour and Justice and Attorney General of the province and his successors in office as a corporation sole. R.S.P.E.I. 1974, Cap.A-9,s.1; 1993,c.29,s.4; 1997,c.20,s.3; 2000,c.5,s.3; 2010,c.14,s.3; 2012,c.17,s.2.

2. The Minister of Environment, Labour and Justice and Attorney General, for the purpose of protecting the burial grounds, has the power at all times to take and bring in his name as Minister of Environment, Labour and Justice and Attorney General all proceedings, actions and suits as may be necessary to protect such burial grounds from being trespassed upon or defaced or damaged. R.S.P.E.I. 1974, Cap.A-9,s.2; 1993,c.29,s.4; 1997,c.20,s.3; 2000,c.5,s.3; 2010,c.14,s.3; 2012,c.17,s.2.

3. In any such suits or proceedings, the Minister of Environment, Labour and Justice and Attorney General has the same rights as an ordinary plaintiff. R.S.P.E.I. 1974, Cap.A-9,s.3; 1993,c.29,s.4; 1997,c.20,s.3; 2000,c.5,s.3; 2010,c.14,s.3; 2012,c.17,s.2.

4. The Minister of Environment, Labour and Justice and Attorney General has the right to grant permits to persons, in good faith, desirous of visiting or entering any of such burial grounds surrounded by privately owned lands and the permit is sufficient answer to any claim or suit threatened or brought against any persons using such permit. R.S.P.E.I. 1974, Cap.A-9,s.4; 1993,c.29,s.4; 1997,c.20,s.3; 2000,c.5,s.3; 2010,c.14,s.3; 2012,c.17,s.2.

5. A permit may be granted under section 4 whether or not the cemetery is vested in a corporation or in trustees. R.S.P.E.I. 1974, Cap. A-9, s.5.