Registration of Burials Act 1864

1864 CHAPTER 97 27 and 28 Vict

An Act to make further Provisions for the Registration of Burials in England. [29th July 1864]

Modifications etc. (not altering text)

C1 Preamble omitted under authority of Statute Law Revision Act 1893 (c. 14)

1 All burials to be registered.

All burials in any burial ground in England which are not now by law required to be registered shall be registered in register books to be provided for each such burial ground by the company, body, or persons to whom the same belongs, and to be kept for that purpose according to the laws in force by which registers are required to be kept by rectors, vicars, or curates of parishes or ecclesiastical districts in England.

2 By whom books to be kept.

Such register books shall be so kept for every such burial ground by some officer or person to be appointed to that duty by the company, body, or persons to whom such burial ground belongs.

[F1 3 Copies of registers to be sent to registrars of diocese.

Copies of the register books kept under this Act for every such burial ground shall be from time to time made, verified, and signed by such officer or person as aforesaid, and sent by him to the registrar of the diocese wherein the burial ground to which the same relates is situate, to be kept with the copies of the register books of the parishes within such diocese.**]**

Textual Amendments

F1 S. 3 repealed as respects provinces of Canterbury and York except the Channel Islands and Isle of Man, by Parochial Registers and Records Measure 1978 (No. 2, SIF 21:9), s. 26(2), **Sch. 4**

4 Penalty for failure to comply with Act.

If any such company, body, or persons, or any such officer or person as aforesaid wilfully fail to comply with any of the provisions of this Act, they or he shall be guilty of an offence against this Act, and on summary conviction thereof before a justice of the peace shall be liable for every such offence to a penalty not exceeding **[**[F2]level 1 on the standard scale**]**.

Textual Amendments

F2 Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**

5 Registers to be evidence.

The register books kept under this Act, or copies thereof or extracts therefrom, shall be received in all courts as evidence of the burials entered therein.

[[F3]6 Registers to be subject to regulations of 6 & 7 W. 4. c. 86, as to searches, &c.

The register books kept under this Act shall, as to searches therein and copies thereof and extracts therefrom, be subject to the regulations of the [M1]Births and Deaths Registration Act 1836, so far as those regulations relate to register books of burials kept by rectors, vicars or curates.**]**

Textual Amendments

F3 S. 6 commencing "Section 35" substituted for s. 6 commencing "The register books" as respects provinces of Canterbury and York except the Channel Islands and Isle of Man, by Parochial Registers and Records Measure 1978 (No. 2, SIF 21:9), s. 26(1), **Sch. 3 para. 2**

Marginal Citations

M1 1836 c. 86.

[[F4]6

Section 35 of the Births and Deaths Registration Act 1836 (searches in register books of baptisms or burials), as in force immediately before the passing of the Ecclesiastical Fees Measure 1962, shall apply in relation to the register books kept under this Act with the substitution for the reference to a rector, vicar or curate of a reference to the officer or person by whom the said books are kept.**]**

Textual Amendments

F4 S. 6 commencing "Section 35" substituted for s. 6 commencing "The register books" as respects provinces of Canterbury and York except the Channel Islands and Isle of Man, by Parochial Registers and Records Measure 1978 (No. 2, SIF 21:9), s. 26(1), **Sch. 3 para. 2**

7 As to "burial ground."

In this Act the term "burial ground" includes a vault or other place where any body is buried.

8 Short title.

This Act may be cited as "The Registration of Burials Act 1864."

Changes to legislation:
There are currently no known outstanding effects for the Registration of Burials Act 1864.