



Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

PART 4

FACULTY JURISDICTION

Subject-matter of faculty

65 Exclusive right to burial places

- (1) Where an exclusive right to a burial place was granted or acquired before 15 April 1964 (the day on which the Faculty Jurisdiction Measure 1964 was passed), the right is to cease on 15 April 2064 or, if the terms of the grant or acquisition provide for the right to cease before that date, in accordance with the provision made by those terms, unless—
 - (a) it has been enlarged or continued by a faculty granted on or after 15 April 1964, but before the commencement of this section, in accordance with section 8 of the Faculty Jurisdiction Measure 1964, or
 - (b) it is enlarged or continued by a faculty granted after the commencement of this section.
- (2) The reference in subsection (1) to an exclusive right to a burial place acquired before 15 April 1964 includes a reference to an exclusive right of burial reserved before that date under section 9 of the Consecration of Churchyards Act 1867.
- (3) Where an exclusive right to a burial place was granted by a faculty granted on or after 15 April 1964 but before the commencement of this section, the right is to cease at the end of the period of 100 years beginning with the date of the faculty or, if the faculty provides for the right to cease before the end of that period, in accordance with the provision made by the faculty, unless—

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 65. (See end of Document for details)

- (a) it has been enlarged or continued by a faculty granted before the commencement of this section in accordance with section 8 of the Faculty Jurisdiction Measure 1964, or
 - (b) it is enlarged or continued by a faculty granted after the commencement of this section.
- (4) An exclusive right to a burial place may not be granted or acquired after the commencement of this section otherwise than by—
- (a) the grant of a faculty, or
 - (b) the reservation of an exclusive right of burial under section 90(2).
- (5) The period for which an exclusive right to a burial place may be granted, enlarged or continued by a faculty granted after the commencement of this section must not exceed 100 years beginning with the date of the faculty.
- (6) A reference in this section to an exclusive right to a burial place is a reference to a right, whether absolute or limited, to the exclusive use of a particular part of a churchyard, burial ground or other consecrated land for the purposes of sepulture.
- (7) This section does not apply to a burial ground or cemetery provided under the Local Government Act 1972.

Commencement Information

II S. 65 in force at 1.9.2018 by S.I. 2018/720, art. 2

Changes to legislation:

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