



Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

PART 5

MISCELLANEOUS

Burials and consecration

88 Burials in parish burial ground

- (1) A person who, but for this subsection, would have no right of burial in the churchyard or other burial ground of a parish has that right if, at the date of the person's death, his or her name is entered on the church electoral roll of the parish.
- (2) A person who has a right of burial in the churchyard or other burial ground of a parish has a right to have his or her cremated remains buried there.
- (3) But subsection (2) does not give a person a right to have his or her cremated remains buried in a churchyard or burial ground in which burials have been discontinued by an Order in Council under the Burial Act 1853 or 1855 except—
 - (a) in accordance with a faculty authorising the burial, or
 - (b) in an area which has been set aside by a faculty for the burial of cremated remains generally.
- (4) A person who does not have a right of burial in the churchyard or other burial ground of a parish may not be buried there, or have his or her cremated remains buried there, without the consent of the minister of the parish.
- (5) In deciding whether to give consent under subsection (4), the minister must have due regard to any general guidance given by the PCC of the parish in question.
- (6) For the avoidance of doubt it is hereby declared that the bishop of a diocese may consecrate land in the diocese for the sole purpose of the burial of cremated remains.

Status: Point in time view as at 01/09/2018.

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 88. (See end of Document for details)

- (7) In this section, “minister”, in relation to a parish, means—
- (a) the incumbent of a benefice to which the parish belongs,
 - (b) if the benefice is vacant, the minister acting as priest in charge of the parish or the curate licensed to the charge of the parish, or
 - (c) if there is no minister or curate of that description, the rural dean of the deanery in which the parish is situated.

Commencement Information

II S. 88 in force at 1.9.2018 by S.I. 2018/720, art. 2

Status:

Point in time view as at 01/09/2018.

Changes to legislation:

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