



# Highgate Cemetery Act 2022

## 2022 CHAPTER i

### 8 Byelaws

- (1) The Trust may make byelaws in relation to the operation and maintenance of the cemetery.
- (2) Without limiting the scope of subsection (1), the Trust may make byelaws for the purposes of regulating the use of the cemetery by members of the public and the conduct of burials in the cemetery.
- (3) Byelaws made under this section may make it an offence for any person to contravene, or fail to comply with, the provisions of the byelaws, and for such person to be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) In any proceedings for such an offence it shall be a defence for the person charged to prove—
  - (a) that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence; or
  - (b) that the person had a reasonable excuse for the action or failure to act.
- (5) Byelaws made by the Trust under this section do not have effect until they are confirmed by the Secretary of State, and section 236 of the Local Government Act 1972 (procedure for byelaws) applies to their confirmation, as if the Trust were a local authority.

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#### **Commencement Information**

**II** S. 8 in force at 21.4.2022, see **s. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Highgate Cemetery Act 2022, Section 8.