



National Assistance Act 1948

1948 CHAPTER 29

PART IV

GENERAL AND SUPPLEMENTARY.

Miscellaneous.

50 Burial or cremation of the dead.

- (1) It shall be the duty of every authority to which this subsection applies to cause to be buried or cremated the body of any person who has died or been found dead in their area, in any case where it appears to the authority that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the authority.
- (2) The authorities to which the last foregoing subsection applies are the councils of county boroughs and county districts and the authorities which are sanitary authorities for the purposes of the Public Health (London) Act, 1936, and in Scotland county and town councils.
- (3) The council of a county, county borough or large burgh may cause to be buried or cremated the body of any deceased person who immediately before his death was being provided with accommodation under Part III of this Act by, or by arrangement with, the council or was living in a hostel provided by the council under section twenty-nine of this Act.
- (4) An authority may recover from the estate of the deceased person or from any person who for the purposes of this Act was liable to maintain the deceased person immediately before his death expenses incurred under subsection (1) or subsection (3) of this section and not reimbursed under the next following subsection.
- (5) The provisions of subsection (5) of section twenty-two of the National Insurance Act, 1946 (which enable the Minister of National Insurance to make payments to certain authorities out of the National Insurance Fund in respect of the cost of burial or cremation of certain persons) shall apply to all authorities to which subsection (1) of this section applies.

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item of legislation is currently only available in its original format.

- (6) Nothing in the foregoing provisions of this section shall affect any enactment regulating or authorising the burial, cremation or anatomical examination of the body of a deceased person; and an authority shall not cause a body to be cremated under this section where they have reason to believe that cremation would be contrary to the wishes of the deceased.
- (7) The Burial of Drowned Persons Act, 1808, and the Burial of Drowned Persons Act, 1886, shall cease to have effect.