



# Bishop's Stortford Cemetery Act 2024

## 2024 CHAPTER i

### 6 Notices given under this Act

- (1) The burial authority may give a single notice for the purposes of section 3(1) and section 4(5) and (7).
- (2) The burial authority must—
  - (a) publish notice in a newspaper of their intention to exercise the powers under section 3 or section 4 once in each of two successive weeks, with an interval between the dates of publication of not less than six clear days;
  - (b) publish such a notice and maintain that notice until the specified date—
    - (i) on the burial authority's website; or
    - (ii) by using a means of electronic publication that the burial authority considers equivalent for the purposes of drawing attention to the burial authority's proposals;
  - (c) display such a notice in a conspicuous position—
    - (i) at each of the principal entrances to the cemetery; and
    - (ii) so far as is reasonably practicable at or near the grave;
  - (d) serve such a notice on—
    - (i) where the burial authority intends to extinguish burial rights, the registered owner of the right of burial and, if different, the registered owner of any memorial proposed to be removed, at their registered address;
    - (ii) where the burial authority intends to disturb human remains, the registered owner of any extinguished or expired right of burial or any memorial erected or placed in or on the grave space, at their registered address;
    - (iii) the Commonwealth War Graves Commission; and
    - (iv) the Historic Buildings and Monuments Commission for England.
- (3) Each notice must—
  - (a) contain full particulars of the burial authority's proposals including the registered number or other description of all grave spaces in respect of which it is proposed that rights of burial should be extinguished, and graves in which

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- it is proposed that human remains are to be disturbed, and specifying those graves where it is proposed that any memorials should be removed;
- (b) contain the specified date, which must not be earlier than six months after the date of the last of the publications in accordance with subsection (2)(a) and (b), the date on which the notice is first displayed in accordance with subsection (2)(c), or the date on which the notice is served in accordance with subsection (2)(d), whichever is the last;
  - (c) in the case of a notice under section 3, state the effect of subsections (4) to (8) of that section; and
  - (d) in the case of a notice under section 4, state the effect of subsections (6) and (7) of that section.
- (4) A notice under subsection (2)(b) must contain, where known, the name of the registered owner of any right of burial or memorial affected and the name of any person whose remains are proposed to be disturbed.
- (5) A notice under subsection (2)(a), (c) or (d) must include details of where the notice under subsection (2)(b) may be found and a statement that the notice under subsection (2)(b) contains the information described in subsection (4).