



Public Health (Control of Disease) Act 1984

1984 CHAPTER 22

PART III

Disposal of Dead Bodies

48 Removal of body to mortuary or for immediate burial.

- (1) If a justice of the peace (acting, if he deems it necessary, *ex parte*) is satisfied, on a certificate of the proper officer of the local authority for the district in which a dead body lies, that the retention of the body [^{F1}in any place would endanger the health of any person], he may order—
 - (a) that the body be removed by, and at the cost of, the local authority to a mortuary, and
 - (b) that the necessary steps be taken to secure that it is buried within a time limited by the order or, if he considers immediate burial necessary, immediately.
- (2) Where an order is made under subsection (1) above, relatives or friends of the deceased person shall be deemed to comply with the order if they cause the body to be cremated within the time limited by the order or, as the case may be, immediately.
- (3) An order under this section shall be an authority to any officer named in it to do all acts necessary for giving effect to the order.

Textual Amendments

- F1** Words in s. 48(1) substituted (6.4.2010 for E., 26.7.2010 for W.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 7](#); [S.I. 2010/708](#), art. 6(e) (with [Sch. 2](#)); [S.I. 2010/1547](#), art. 2(e) (with [Sch. 1](#))

Modifications etc. (not altering text)

- C1** S. 48 applied by [S.I. 1988/1546](#), reg. 3, [Sch. 1](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 48. (See end of Document for details)

- C2** S. 48 modified (7.8.1991) by S.I. 1991/1773, art. 8(2)(3), **Sch.2**
S. 48 modified (10.1.1992) by S.I. 1991/2913, art. 8(2)(3), **Sch. 2**
- C3** S. 48: certain functions transferred (7.8.1991) by S.I. 1991/1773, art. 8(1)(3), **Sch.2**
S. 48: certain functions transferred (10.1.1992) by S.I. 1991/2913, art. 8(1)(3), **Sch. 2**
- C4** S. 48 modified (E.) (6.4.2010) by The Bristol Port Health Authority Order 2010 (S.I. 2010/1214), arts. 1, 4, **Sch.**
- C5** S. 48 modified (E.) (6.4.2010) by The Cornwall Port Health Authority Order 2010 (S.I. 2010/1215), arts. 1(1), 4, **Sch.** (with art. 2)
- C6** S. 48 modified (E.) (6.4.2010) by The Cowes Port Health Authority Order 2010 (S.I. 2010/1216), arts. 1(1), 4, **Sch.**
- C7** S. 48 modified (E.) (6.4.2010) by The Portsmouth Port Health Authority Order 2010 (S.I. 2010/1217), arts. 1(1), 4, **Sch.**
- C8** S. 48 modified (E.) (6.4.2010) by The Southampton Port Health Authority Order 2010 (S.I. 2010/1218), arts. 1(1), 4, **Sch.**
- C9** S. 48 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 9, **Sch. 2**
- C10** S. 48 Functions transferred and modified (E.) (14.6.2016) by The River Tees Port Health Authority Order 2016 (S.I. 2016/644), arts. 1(1), 9, **Sch. 2**
- C11** S. 48 functions etc. assigned to the port health authority and modified (31.3.2017) by The Weymouth Port Health Authority Order 2017 (S.I. 2017/558), arts. 1(1), 9, **Sch. 2** (with art. 9(3))

Changes to legislation:

There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 48.