

## SCHEDULES

### SCHEDULE 20

#### BURIAL GROUNDS

##### *Removal of remains by nominated undertaker*

- 5 (1) In the case of remains in relation to which paragraph 1(4) applies—
- (a) the nominated undertaker may remove the remains, and
  - (b) if it does so, it is to be treated for the purposes of this Act as acting under this paragraph and not under the faculty or licence mentioned in paragraph 1(4).
- (2) The nominated undertaker must within two months of the removal of remains under sub-paragraph (1)—
- (a) bury them in a place (whether or not consecrated) which is set apart for the purposes of burial, or
  - (b) cremate them in a crematorium.
- (3) Sub-paragraph (2) does not apply if the Secretary of State is satisfied that the remains were buried more than 100 years ago; and in such a case the nominated undertaker must, after the removal of remains under sub-paragraph (1)—
- (a) within 12 months or such longer period as the Secretary of State may direct in relation to the case—
    - (i) bury them in a place (whether or not consecrated) which is set apart for the purposes of burial, or
    - (ii) cremate them in a crematorium, or
  - (b) deal with them in such other manner, and subject to such conditions, as the Secretary of State may direct.

**Changes to legislation:**

There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Paragraph 5.