



# Burial Act 1853

1853 CHAPTER 134 16 and 17 Vict

## **4 Saving of certain rights to bury in vaults, &c.**

Provided always, that notwithstanding any such Order in Council, where, by virtue of any faculty legally granted, or by usage or otherwise, there is at the time of the passing of this Act any right of interment in or under any church or chapel affected by such Order, or in any vault of any such church or chapel, or of any churchyard or burial ground affected by such Order, and where any exclusive right of interment in any such burial ground has been purchased or acquired before the passing of this Act, it shall be lawful for one of her Majesty's Principal Secretaries of State from time to time, on application being made to him, and on being satisfied that the exercise of such right will not be injurious to health, to grant licence for the exercise of such right during such time and subject to such conditions and restrictions as such Secretary of State may think fit; but such licence shall not prejudice or in anywise affect the authority of the ordinary, or of any other person who, if this Act had not been passed, might have prohibited or controlled interment under such right, nor dispense with any consent which would have been required, nor otherwise give to such right any greater force or effect than the same would have had if this Act had not been passed.

**Changes to legislation:**

There are currently no known outstanding effects for the Burial Act 1853, Section 4.