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STATUTORY INSTRUMENTS

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**1977 No. 204**

**The Local Authorities' Cemeteries Order 1977**

**Commonwealth War Graves Commission**

**20.**—(1) In this article—

“the Commission” means the Commonwealth War Graves Commission; and

“Commonwealth war burial” means a burial of any member of the forces of His Majesty fallen in the war of 1914-1921 or the war of 1939-1947.

(2) A burial authority may grant to the Commission the right to provide any structure or any tree, plant, path or other feature.

(3) Nothing in article 3 shall be construed as authorising any action in relation to any tombstone or other memorial, any structure or any tree, plant, path or other feature provided by the Commission, except with the consent of the Commission.

(4) Any right described in article 10(1) may also be granted to the Commission and in relation to any such right—

the words “Subject to paragraph (3),” and “and not exceeding 100 years” in article 10(2);  
article 10(3);

the words “for up to 100 years from the date on which the extension is granted” in article 10(4);  
article 10(5); and

the words “for a period not exceeding 100 years from the date of the agreement” in article 10(7),

shall not have effect.

(5) Before their first exercise of the powers conferred by article 10(5) or 16(2) in relation to any particular cemetery, the burial authority shall notify the Commission.

(6) The powers described in article 10(5) or 16(2) shall not be exercisable in respect of—

any grave, vault, tombstone or other memorial provided or maintained by or on behalf of the Commission; or

any other grave or vault containing a Commonwealth war burial,

except with the consent in writing of the Commission.

(7) Part III of Schedule 2 shall not apply to the Commission.