
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART IV

SUPPORT FOR CHILDREN AND THEIR FAMILIES

Children looked after by an authority

Death of children being looked after by an authority

34.—(1) If a child who is being looked after by an authority dies, the authority—

- (a) shall notify the Department;
- (b) shall, so far as is reasonably practicable, notify the child's parents and every person who is not a parent of his but who has parental responsibility for him;
- (c) may, with the consent (so far as it is reasonably practicable to obtain it) of every person who has parental responsibility for the child, arrange for the child's body to be buried or cremated; and
- (d) may, if the conditions mentioned in paragraph (2) are satisfied, make payments to any person who has parental responsibility for the child, or any relative, friend or other person connected with the child, in respect of travelling, subsistence or other expenses incurred by that person in attending the child's funeral.

(2) The conditions are that—

- (a) it appears to the authority that the person concerned could not otherwise attend the child's funeral without undue financial hardship; and
- (b) that the circumstances warrant the making of the payments.

(3) Paragraph (1) does not authorise cremation where it does not accord with the practice of the child's religious persuasion.

(4) Where an authority has exercised its power under paragraph (1)(c) with respect to a child who was under 16 when he died, the authority may recover from any parent of the child any expenses incurred by the authority.

(5) Any sums so recoverable shall, without prejudice to any other method of recovery, be recoverable summarily as a civil debt.

(6) Nothing in this Article affects any statutory provision regulating or authorising the burial, cremation or anatomical examination of the body of a deceased person.