

CROSSRAIL ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SCHEDULES

Schedule 15 - Burial grounds: removal of human remains and monuments

332. *Paragraph 1* requires the nominated undertaker to publish and display notice of his intent to remove any human remains or monument before any such removal, and sets out what such a notice should include. No notice is to be required in cases where the Secretary of State has notified the nominated undertaker that he is satisfied that the remains are more than a hundred years old, and that no relative or representative of the deceased is likely to object. Nor is a notice to be required in cases where the nominated undertaker already holds a licence to remove human remains under section 25 of the Burial Act 1857.
333. *Paragraph 2* sets out the circumstances in which the nominated undertaker may issue a licence, allowing for the removal and reinterment or cremation of human remains, to a relative or representative of the deceased, upon written request. The reasonable costs of removal and reinterment or cremation will be paid by the nominated undertaker.
334. *Paragraph 3* allows the nominated undertaker to remove human remains where no written request by a relative or representative is received, or where a licence has been issued but the remains have not been removed after 28 days. Such remains are to be reinterred in a burial ground or cremated in a crematorium.
335. *Paragraph 4* sets out the arrangements to apply to the removal of any monument associated with any human remains removed under the Schedule. Where a licence has been issued, the relative or representative of the deceased may also remove the monument associated with it, to re-erect it elsewhere or to dispose of it. The reasonable costs of so doing will be paid by the nominated undertaker.
336. *Paragraph 5* allows the nominated undertaker to remove any monument associated with any human remains he removes, or, where a licence has been granted, a monument has not been removed within 28 days. The nominated undertaker can also remove any monument associated with any human remains the subject of a licence held under the Burial Act 1857. Monuments removed may be re-erected where the remains are re-interred, or at some other appropriate place, or, failing that, are to be broken up and defaced.
337. *Paragraph 6* sets out the records required to be kept by the nominated undertaker in respect of any human remains or monuments removed under the Schedule.