



# Burial Act 1859

1859 CHAPTER 1 22 Vict

**U.K.**

An Act more effectively to prevent Danger to the Public Health from Places of Burial. [25th March 1859]

## Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)  
Act: powers transferred (1.7.1999) by virtue of [S.I. 1999/672, art. 2, Sch.1](#)

## 1 Where persons having the care of a place of burial neglect to comply with Order in Council, the churchwardens may act in their stead. **U.K.**

Where it appears to one of Her Majesty's Principal Secretaries of State, on the representation of any person authorized by him to inspect any vaults or place of burial in relation to which an Order in Council has been or shall have been issued under the said recited enactment, that any acts which by such Order in Council are ordered to be done by or under the direction of persons other than [<sup>F1</sup>burial authority] having the care of such vaults or place of burial are not done or performed within a reasonable time, and according to the intent of such Order in Council, it shall be lawful for such Secretary of State, by writing under his hand, to authorize and direct the [<sup>F1</sup>council of the district or London borough or the Common Council of the City of London [<sup>F2</sup>or Welsh county council or county borough council], as the case may be] forthwith to do or complete the acts in such Order in council mentioned, or such of them as remain undone; and such order of the Secretary of State shall be obeyed by such [<sup>F1</sup>Council]; and they and all persons acting under their direction shall have the same power of entering and doing all such acts upon the premises to which the Order in Council relates as if the said acts had by the Order in Council been directed to be done by such [<sup>F1</sup>Council], and such vaults or place of burial had been under their care; and any person who shall obstruct such [<sup>F1</sup>Council] or any others acting under their direction in relation to the premises, or remove or interfere with the works done by such [<sup>F1</sup>Council], shall be guilty of a misdemeanor.

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*Changes to legislation: There are currently no known outstanding effects for the Burial Act 1859. (See end of Document for details)*

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#### Textual Amendments

- F1** Words substituted by [Local Government Act 1972 \(c. 70\)](#), [Sch. 26 para. 16](#)
- F2** Words in [s. 1](#) inserted (1.4.1996) by [1994 c. 19, s. 66\(6\)](#), [Sch. 16 para.1](#); [S.I. 1996/396, art. 4](#), [Sch.2](#)

#### Modifications etc. (not altering text)

- C3** “the said recited enactment” means the [Burial Act 1857 \(c. 81\)](#), [s. 23](#)

## 2 This and recited Act to be as one. **U.K.**

This Act shall be read together with the <sup>M1</sup>Burial Act 1857 and the Burial Acts therein mentioned as one Act.

#### Marginal Citations

- M1** [1857 c. 81](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Burial Act 1859.