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STATUTORY INSTRUMENTS

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**2010 No. 657**

**The Health Protection (Local  
Authority Powers) Regulations 2010**

**Restriction of access to dead bodies**

**10.**—(1) This regulation applies where a local authority is satisfied that—

- (a) a dead body is or may be infected or contaminated;
- (b) the infection or contamination is one which presents or could present significant harm to human health;
- (c) there is a risk that the dead body might infect or contaminate people;
- (d) it is necessary to restrict entry to the room in which the dead body is located in order to remove or reduce that risk; and
- (e) prohibiting any person from entering the room in which the dead body is located is a proportionate response to the risk presented by that dead body.

(2) The local authority may serve on the person (M) having charge or control of the premises in which the dead body is located a notice prohibiting any person from entering the room in which the dead body is located.

(3) On receipt of a notice served under paragraph (2), M must arrange for a copy of the notice to be conspicuously displayed at each of the entry points to the room without delay.

(4) The notice must include—

- (a) a statement to the effect that entering the room in which the dead body is located is prohibited;
- (b) a statement to the effect that breach of the prohibition is a criminal offence;
- (c) contact details for an officer of the local authority who is able to discuss the notice; and
- (d) the legal authority for the prohibition.

(5) An offence is committed if, without reasonable excuse—

- (a) M fails to arrange for a copy of the notice to be displayed at each of the entry points to the room in accordance with paragraph (3);
- (b) any person removes or defaces a notice displayed under paragraph (3); or
- (c) any person fails to comply with a notice displayed under paragraph (3).

(6) An offence is not committed under paragraph (5)(c) if—

- (a) the person has the local authority's consent to enter the room in which the dead body is located; or
- (b) the person is exercising the functions of a coroner or is acting under the authority of a coroner.

(7) Any person who commits an offence under this regulation is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health Protection (Local Authority Powers) Regulations 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**Commencement Information**

**II** Reg. 10 in force at 6.4.2010, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- Regulations Functions transferred and modified by [S.I. 2016/644 art. 9Sch. 2](#)
- Regulations applied (with modifications) by [S.I. 2011/939 art. 9Sch. 2](#)
- Regulations functions etc. assigned to the port health authority and modified by [S.I. 2017/558 art. 9Sch. 2](#)