



# Public Health Act (Northern Ireland) 1967

## 1967 CHAPTER 36

### PART I

#### INFECTIOUS DISEASES

- 14 Power of resident magistrate to order dead body to be removed to mortuary or buried forthwith.**
- (1) If a resident magistrate is satisfied, on a certificate of<sup>[F1]</sup> the Director of Public Health], or on a certificate of some other medical practitioner, that the retention of a dead body in any building would endanger the health of persons residing in or resorting to that building or any adjoining or neighbouring building, the magistrate may order that the body be removed to a mortuary, and that arrangements be made to bury it within a time limited by the order, or, if the magistrate considers immediate burial necessary, immediately.
  - (2) An order under subsection (1) shall be served on such relative of the deceased as the resident magistrate may direct, or if it appears that that deceased did not have any relative upon whom the order might be served, on <sup>[F2]</sup>the Regional Agency<sup>[F3]</sup>. . . , so however that failure to serve an order shall not constitute a defence to an action for the recovery of expenses under subsection (4).
  - (3) Immediate cremation of a body or its cremation within the time limited for the burial of the body by an order under subsection (1), shall be a sufficient compliance with such an order.
  - (4) <sup>[F4]</sup>The Regional Agency] shall, where—
    - (a) an order under subsection (1) has been served on a relative of the deceased and that relative has failed to comply with the order, or
    - (b) the order has been served on them,cause the body to be buried, and any expenses reasonably incurred by them in so doing may be recovered summarily by them as a civil debt due to them from that relative or from the estate of the deceased.

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*Status: Point in time view as at 01/04/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967, Section 14. (See end of Document for details)*

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- F1** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**
- F2** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F3** Words in s. 14(2) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**
- F4** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

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