



# Care of Churches and Ecclesiastical Jurisdiction (Amendment) Measure 2015

2015 No. 1

## 4 Disused burial grounds

After section 18 of the 1991 Measure insert—

### “18A Erection of buildings on disused burial grounds

- (1) Notwithstanding section 3 of the Disused Burial Grounds Act 1884, a court may grant a faculty permitting the erection of a building on a disused burial ground otherwise than for a purpose permitted by that section, provided that one of the conditions set out in subsection (2) below is satisfied.
- (2) The conditions referred to in subsection (1) above are—
  - (a) that no interments have taken place in the land on which the building is to stand during the period of 50 years immediately prior to the date of the petition for the faculty;
  - (b) that no personal representative or relative of any person whose remains have been interred in the land during that period has objected to the grant of the faculty or that any such objection has been withdrawn.
- (3) The power conferred by subsection (1) above is without prejudice to any other power which the court has to authorise the erection of buildings on burial grounds.”