



# Welsh Church Act 1914

## 1914 CHAPTER 91

### PART IV

#### SUPPLEMENTAL

#### **24 Supplemental provisions as to burial grounds**

- (1) Nothing in this Act shall during the incumbency of an existing incumbent of an ecclesiastical parish—
  - (a) affect any powers or rights with respect to burials in the burial ground of that parish, including the consecrated portion of any burial ground provided under the Burial Acts, 1852 to 1906, or affect any enactment requiring or authorising a notice or certificate of any burial to be given to the incumbent ; or
  - (b) affect the right of any existing clerk or sexton to fees in respect of such burials.
- (2) The vesting of any burial ground under this Act shall be without prejudice to any existing public and private rights of burial therein.
- (3) Where any burial ground which, under this Act, is transferred to any authority (whether a burial board, council, chairman of a parish meeting and overseers, or trustees) adjoins a church vested in the representative body, then after the determination of the incumbency of the existing incumbent—
  - (a) the burial ground shall be held subject to a right of way in the representative body, and the clergy and congregation attending the church, and such other persons as may resort thereto for the purpose of public or private worship, or of repairing the church, or for any other lawful purpose ; and
  - (b) no funeral shall be allowed to take place during the usual time of the ordinary services in the church, and such other regulations shall be made by the Secretary of State as may be found necessary to prevent any interference, by persons attending funerals, with the clergy or congregation attending the church; and
  - (c) any road or path through the burial ground to the church shall be kept in good and sufficient repair by the authority ; and

---

*Status: This is the original version (as it was originally enacted).*

---

- (d) where the use of part of the burial ground is required for the enlargement or repair of the church, it may be so used in any case where it might lawfully have been so used, and subject to the like conditions and restrictions, as if this Act had not been passed, and where used for the purpose of the enlargement of the church the part so used shall thereupon vest in the representative body.
- (4) Subject as aforesaid, every such burial ground shall after the determination of the incumbency of the existing incumbent be held for the same purposes and subject to the same rules and regulations as if the Burial Acts, 1852 to 1906, were in force in the area of the authority by which the burial ground is to be administered and as if it were a burial ground provided under those Acts, and those Acts, so far as is consistent with the tenor thereof, and with the provisions of this Act, shall apply accordingly:

Provided that where any such burial ground is under this Act transferred to the chairman of the parish meeting and overseers of a rural parish the necessary steps shall forthwith be taken for the constitution of a burial authority for the parish.