



Highgate Cemetery Act 2022

2022 CHAPTER i

2 Interpretation

In this Act—

“the 1836 Act” means the Act of the sixth and seventh years of the reign of His Majesty King William the Fourth, entitled “An Act for establishing Cemeteries for the Interment of the Dead, Northward, Southward, and Eastward of the Metropolis, by a Company to be called “The London Cemetery Company”;

“burial” includes the interment of cremated remains and “right of burial” includes “right of interment” accordingly;

“the burial authority” means the Trust or another person to whom any or all of the benefit of the provisions of this Act and such related statutory rights have been transferred;

“the cemetery” means Highgate Cemetery referred to in the preamble to this Act, constructed under the 1836 Act;

“civil partner” includes former civil partner;

“Commonwealth war burial” means a burial of any member of the armed forces of His Majesty who died in the war of 1914 to 1921 or in the war of 1939 to 1947 or of any other person for whose burial the Commonwealth War Graves Commission is responsible;

“Commonwealth war memorial” means any memorial erected, owned or maintained by the Commonwealth War Graves Commission;

“expired”, in relation to a right of burial, means that the right has ceased to exist, whether by reason of any fixed period for which the right was granted having ended or the right having been surrendered, forfeited or otherwise determined, or for any other reason other than the right having been extinguished in accordance with the provisions of section 4;

“grave” includes any grave space and any crypt, vault, catacomb, arch, brick grave, mausoleum, columbarium or other place of interment;

“the LCC” means the London Cemetery Company established under the 1836 Act;

Changes to legislation: There are currently no known outstanding effects for the Highgate Cemetery Act 2022, Section 2. (See end of Document for details)

“memorial” means any monument, headpiece, headstone, flatstone, slab, footstone, borderstone, kerbstone, tombstone or tablet, and includes any wall, kerb or railing protecting, enclosing or marking a grave or grave space or memorial (including any permanent covering thereon), or any other commemorative object placed in the cemetery including vases, flower containers or other similar objects;

“protected grave” means a grave designated as a protected grave by the burial authority under section 6(3);

“public or common grave” means a grave in respect of which no right of burial has been acquired by or granted to, or has otherwise vested in, any individual or body other than a local authority or the burial authority;

“register of grants” means the register of grants of exclusive rights of burial, and of rights to erect or place memorials, maintained by the burial authority;

“registered address” means an address registered in the register of grants;

“registered number” means a number registered in the register of grants;

“registered owner”—

- (a) in relation to any right of burial means the person at the time in question named as the owner in the register of grants;
- (b) in relation to any memorial means the person at the time in question named in the said register as the person to whom the right to erect or place that memorial has been granted or if no such person is named, the registered owner of the right of burial in the grave in or on which the memorial is erected or placed; and
- (c) in relation to any right that has expired or been extinguished, means the last person so registered;

“relative”, in relation to any person, means any of the following—

- (a) that person's spouse;
- (b) that person's civil partner;
- (c) any lineal ancestor, lineal descendant, brother, sister, aunt, uncle, nephew, niece or first cousin of that person or of that person's spouse or civil partner;

“spouse” includes former spouse; and

“the Trust” means the Friends of Highgate Cemetery Trust, a charitable trust with the company number 03157806.

Commencement Information

II S. 2 in force at 21.4.2022, see **s. 1**

Changes to legislation:

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