



Burial Act 1852

1852 CHAPTER 85 15 and 16 Vict

51 Power for incumbent or churchwardens to convey chapel.

Where any burial ground in which interment is discontinued under this Act belongs to any parish other than the parish within which the same is locally situate, it shall be lawful for the incumbent and churchwardens of the parish to which such burial ground belongs, with the consent of the vestry or persons possessing the powers of vestry for ecclesiastical purposes of or in such parish, and of the bishop of the diocese, to convey any chapel belonging to such parish, and situate in or attached to such burial ground, and the site thereof, to any persons named by the incumbent and churchwardens of the parish within which the same is situate, with the consent of the vestry or persons possessing the powers of vestry of or in such parish for ecclesiastical purposes, and of the said bishop, and upon such trusts for such last-mentioned parish, and subject to such conditions to be performed on behalf of such parish, and with such provision for the appointment of new trustees, as to the said bishop may seem proper; and such conveyance shall be effectual to pass all the estate and interest vested in any persons in trust or in behalf of the parish to which such chapel and the site thereof belong; and after the execution of such conveyance all obligation on such last-mentioned parish, or any trustees or others on behalf thereof, to repair such chapel, or to pay any stipend to the minister thereof, or otherwise in relation to or in connexion with such chapel, shall cease.

Modifications etc. (not altering text)

- C1 S. 51 applied by [Local Government Act 1972 \(c. 70\), Sch. 26 para. 15](#)
- C2 Functions of Churchwardens and vestry now exercisable by parochial church councils: [Parochial Church Councils \(Powers\) Measure 1921 \(No. 1\), s. 4\(1\)\(i\)](#) and [Parochial Church Councils \(Powers\) Measure 1956 \(No. 3\), s. 4\(1\)\(ii\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Burial Act 1852, Section 51.