



Burial Act 1852

1852 CHAPTER 85 15 and 16 Vict

52 Interpretation of terms.

In this Act . . . ^{F1}

.^{F2}

“Incumbent” and “minister” shall, in respect of any fee made payable to an incumbent or minister under this Act, mean the clergyman who would have been entitled to the fee had the body been buried in the churchyard or burial ground of the parish from which it came, or in the burial ground of the ecclesiastical district in case such district has a burial ground at the passing of this Act; and if any difference shall arise between two or more persons severally claiming to be the incumbent or minister under this provision, such difference shall be determined by the bishop of the diocese.

“Churchwardens” shall mean also chapelwardens, or other persons discharging the duties of churchwardens:

.^{F2}

Textual Amendments

F1 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

F2 Definitions repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Modifications etc. (not altering text)

C1 Act amended as to references to parish by [London Government Act 1963 \(c. 33\)](#), **s. 44(4)**

C2 Functions of churchwardens now exercisable by Parochial Church Councils: [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 52.