



# Burial Act 1853

1853 CHAPTER 134 16 and 17 Vict

**1 On representation of Secretary of State, Her Majesty in Council may restrain the opening of new burial grounds, and order discontinuance of burials in specified places.**

In case it appear to her Majesty in Council, upon the representation of one of her Majesty's Principal Secretaries of State, that . . . <sup>F1</sup> burials in any city or town, or within any other limits, or in any burial grounds or places of burial, should be wholly discontinued, or should be discontinued subject to any exception or qualification, it shall be lawful for her Majesty, by and with the advice of her Privy Council, to order . . . <sup>F1</sup> that after a time mentioned in the Order burials in such city or town, or within such limits, or in such burial grounds or places of burial, shall be discontinued wholly, or subject to any exceptions or qualifications mentioned in such Order, and so from time to time as circumstances may require: Provided always, that notice of such representation, and of the time when it shall please her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the London Gazette, and shall be affixed on the doors of the churches or chapels of, or on some other conspicuous places within, the parishes affected by such representation, one month before such representation is so considered: Provided also, that no such representation shall be made in relation to the burial ground of any parish until ten days previous notice of the intention to make such representation shall have been given to the incumbent and the vestry clerk or churchwardens of such parish.

## Textual Amendments

**F1** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

## Modifications etc. (not altering text)

**C1** S. 1 applied by [Local Government Act 1972 \(c. 70\), Sch. 26 para. 15](#)

**C2** Functions of vestry and churchwardens 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\(1\)\(ii\)\(c\)](#)

**Status:**

Point in time view as at 18/06/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Burial Act 1853, Section 1.