

Extract From
BURIAL LAWS AMENDMENT ACT 1880
(43 & 44 Vict c 41)

1 Notice may be given that burial will take place in churchyard or graveyard without the rites of the Church of England

Any relative, friend, or legal representative having the charge of or being responsible for the burial of a deceased person may give . . . notice in writing, indorsed on the outside “Notice of Burial,” to, or leave or cause the same to be left at the usual place of abode of the rector vicar or other incumbent, or in his absence the officiating minister in charge of any parish or ecclesiastical district or place, or any person appointed by him to receive such notice, that it is intended that such deceased person shall be buried within the churchyard or graveyard of such parish or ecclesiastical district or place without the performance, in the manner prescribed by law, of the service for the burial of the dead according to the rites of the Church of England, and after receiving such notice no rector, vicar, incumbent or officiating minister shall be liable to any censure or penalty, ecclesiastical or civil, for permitting any such burial as aforesaid. Such notice shall be in writing, plainly signed with the name and stating the address of the person giving it, and shall be in the form or to the effect of Schedule (A.) annexed to this Act.

6 Burial may be with or without religious service

At any burial under this Act all persons shall have free access to the churchyard or graveyard in which the same shall take place. The burial may take place, at the option of the person so having the charge of or being responsible for the same as aforesaid, either without any religious service, or with such Christian and orderly religious service at the grave, as such person shall think fit; and any person or persons who shall be thereunto invited, or be authorised by the person having the charge of or being responsible for such burial, may conduct such service or take part in any religious Act thereat. The words “Christian service” in this section shall include every religious service used by any church, denomination, or person professing to be Christian.

SCHEDULES to which this Act refers

SCHEDULE (A)

Section 1

NOTICE OF BURIAL

I _____, of _____, being the relative [*or* friend, or legal representative, *as the case may be, describing the relation, if a relative*], having the charge of or being responsible for the burial of A.B., of _____, who died at

in the parish of _____ on the _____ day of _____, do hereby give you notice that it is intended by me that the body of the said A.B. shall be buried within the [*here describe the churchyard or graveyard in which the body is to be buried*] on the _____ day of _____, at the hour of _____, without the performance in the manner prescribed by law of the service for the burial of the dead according to the rites of the Church of England, and I give this notice pursuant to the Burial Laws Amendment Act 1880,

To the Rector [*or as the case may be*] of