EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The regulations consolidate, with amendments mainly of a drafting character, the regulations specified in the First Schedule. Certain provisions relating to minor matters which can adequately be dealt with by administrative action have been omitted. The regulations do not make any change of substance in the law.

1954 No. 448

The Removal of Bodies Regulations, 1954

Made - - - -	*5th April*, 1954
Coming into Operation	*1st May*, 1954

The Minister of Health, in exercise of the powers conferred on him by section 9 of the Births and Deaths Registration Act, 1926(**a**), and of all other powers enabling him in that behalf, with the concurrence of the Secretary of State, hereby makes the following regulations:—

1. These regulations may be cited as the Removal of Bodies Regulations, 1954, and shall come into operation on the first day of May, 1954.

2. The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The Removal of Bodies from England Regulations, 1927(**c**), are hereby revoked, but without prejudice to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

4. Every person intending to remove the body of a deceased person out of England shall give notice of his intention in the form set forth in the first schedule to these regulations, or in a form substantially to the like effect, to the coroner within whose jurisdiction the body is lying, and when the deceased person died in England and a certificate has been given by a registrar under section 24 of the Births and Deaths Registration Act, 1953(**d**), or a coroner's order for burial or certificate for cremation has been issued, the certificate or order shall be delivered to the coroner with the notice.

5.—(1) Upon receiving any such notice the coroner shall forthwith send or deliver—

(*a*) to the person who gave the notice, or the undertaker or other person designated by that person for the purpose, an acknowledgment of the receipt of the notice in the form set forth in the second schedule to these regulations or in a form substantially to the like effect, and

(*b*) to the registrar for the sub-district in which the death occurred, or in which the dead body was found, a notification that a notice of intention to remove the body out of England has been received, and, if a certificate given by that registrar under section 24 of the Births and Deaths Registration Act, 1953, was sent to the coroner under regulation 4 of these regulations, the certificate so sent.

(2) Any coroner's order for burial or certificate for cremation sent to the coroner under regulation 4 of these regulations shall be retained by him unless he is notified in writing by the person wishing to remove the body out of England that it is intended that the body shall be cremated in Scotland or the Channel Islands, in which case the coroner shall endorse the certificate

(**a**) 16 & 17 Geo. 5. c. 48. (**b**) 52 & 53 Vict. c. 63.
(**c**) S.R. & O. 1927/557 (Rev. XIX, p. 932: 1927, p. 281). (**d**) 1 & 2 Eliz. 2. c. 20.

with words to the effect that it shall henceforth be valid only for cremation in Scotland or the Channel Islands, as the case may be, and return it to the person receiving the acknowledgment of the receipt of notice under sub-paragraph (*a*) of paragraph (1) of this regulation.

6. The body shall not be removed out of England before the expiration of a period of four clear days after the day on which notice of intention to remove the body was received by the coroner:

Provided that, where the coroner states in his acknowledgment of receipt of the notice that after making due enquiry he is satisfied that no further enquiries by him are necessary concerning the death, the body may be removed out of England at any time after the acknowledgment has been received by the person to whom it is addressed, notwithstanding that the said period of four days has not expired.

7. Any notice, acknowledgment or notification required by these regulations to be given, sent or delivered may be sent by post.

FIRST SCHEDULE

FORM OF NOTICE TO A CORONER OF INTENTION TO REMOVE A BODY OUT OF ENGLAND

To the Coroner for .....

.....

I/We .....

of (full postal address) .....

.....

in pursuance of section 4 of the Births and Deaths Registration Act, 1926, hereby give you notice that I/we intend to remove out of England the body, now lying within your jurisdiction at .....

.....

(Here state address or place where body is lying)

of ..... deceased, who died at (or whose body was found at) .....

on .....

— and I/we deliver herewith the certificate for disposal given by the registrar of births and deaths.*

— and I/we deliver herewith the coroner's order for burial or certificate for cremation of the deceased.*

— and I/we declare that to the best of my/our knowledge and belief no certificate for disposal has been given by a registrar of births and deaths in England or Wales and no coroner's order for burial or certificate for cremation has been issued.*

— and I/we declare that the death took place out of England and Wales.*

† You are requested to send any communication regarding this notice to:—

(Name) .....

Full postal address .....

Signature of person giving notice .....

Date .....

* Delete where inapplicable.

† This paragraph is for use only where the person giving notice desires the coroner's acknowledgment to be sent to some other person.

SECOND SCHEDULE

FORM OF ACKNOWLEDGMENT BY A CORONER OF RECEIPT OF NOTICE OF INTENTION TO REMOVE A BODY OUT OF ENGLAND

To .....

(Here state the name of the person by whom notice was given, or of such other person as may have been designated in the notice to receive the coroner's acknowledgment)

Address .....

1. I hereby acknowledge that I have this ..... day of ..... 19..... received the notice given by ..... for the purpose of section 4 of the Births and Deaths Registration Act, 1926, that it is intended to remove out of England the body, now lying within my jurisdiction, of ..... deceased.

2. (*a*) † I am satisfied that there is no necessity for me to make further enquiries concerning the death and the body may be removed out of England upon receipt of this acknowledgment.

(*b*) † The body may be removed out of England on or after the fifth day after the date aforesaid unless any lawful direction to the contrary has been given in the meanwhile.

Signature .....

* Coroner.
* Deputy Coroner.
* Assistant Deputy Coroner.

for .....

† Strike out (*a*) or (*b*).
* Delete where inapplicable.

Given under the official seal of the Minister of Health this fifth day of April, in the year nineteen hundred and fifty-four.

(L.S.)

Iain Macleod,
Minister of Health.

I concur,

David Maxwell Fyfe,
Secretary of State.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These regulations replace the Removal of Bodies from England Regulations, 1927. They prescribe the period of notice to be given to the coroner before removal of a body out of England, and provide for the surrender of any document already issued for disposal of the body in England.