



Cremation Act 1952

1952 CHAPTER 31 15 and 16 Geo 6 and 1 Eliz 2

F1

An Act to amend the law relating to cremation; and for purposes connected therewith. [26th June 1952]

Textual Amendments

F1 Act repealed (S.) (4.4.2019) by [Burial and Cremation \(Scotland\) Act 2016 \(asp 20\)](#), s. 112(2), [sch. 2](#) (with s. 111); S.I. 2018/380, [reg. 2](#), [sch.](#) (with [reg. 8](#))

Modifications etc. (not altering text)

C1 Functions of councils in Scotland under this Act transferred to and vested in islands or district councils by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [s. 169\(1\)](#)
Act: powers transferred (1.7.1999) by virtue of [S.I. 1999/672](#), [art. 2](#), [Sch.1](#)

1 Restriction on use of new crematoria.

(1) No human remains shall be burned in any crematorium established after the commencement of this Act . . . ^{F2} until the crematorium has been certified to the Secretary of State by the burial authority or other person by whom it is established to be complete, . . . ^{F2} and to be properly equipped for the purposes of the disposal of human remains by burning.

(2) ^{F3}

(3) ^{F4}

Textual Amendments

F2 Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

F3 S. 1(2) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

Changes to legislation: There are currently no known outstanding effects for the Cremation Act 1952. (See end of Document for details)

F4 S. 1(3) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

2 Amendment of 2 Edw. 7. c. 8. ss. 7 & 8.

(1) Section seven of the Cremation Act, 1902 (which requires the Secretary of State to make regulations prescribing among other things, the forms of notices, certificates and statutory declarations to be given or made before the burning of any human remains in the crematorium) shall be amended by substituting for the word “declarations”, where first occurring the word “ applications ”, by deleting the words “such declarations to be made under and by virtue of the ^{M1} Statutory Declarations Act, 1835,” and by inserting after the words “have taken place” the words “ Each such application shall be verified in such manner as the Secretary of State may by such regulations prescribe ”.

(2) [^{F5}Any statutory instrument containing regulations made under the said section seven shall be subject to annulment in pursuance of a resolution of either House of Parliament;and] the words from “A copy of” to “enacted in this Act” in that section shall cease to have effect.

[^{F6}(3) In subsection (3) of section eight of the said Act (which relates to penalties) for the word “declaration” there shall be substituted the word “ application ” .]

Textual Amendments

- F5** Words in [s. 2\(2\)](#) repealed (S.) (13.5.2015) by [Certification of Death \(Scotland\) Act 2011 \(asp 11\)](#), s. 32(3), [Sch. 2 para. 2](#); S.S.I. 2015/115, art. 3
- F6** S. 2(3) repealed (E.W.) by [Criminal Law Act 1967 \(c. 58\)](#) Sch.3 Pt. III and textually amends (S.) [Cremation Act 1902 \(c. 8\)](#), s. **8(3)**

Modifications etc. (not altering text)

- C2** “the said section seven” means [Cremation Act 1902 \(c. 8\)](#), s. 7
- C3** The text of s. 2(2) (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes In Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C4** The text of s. 2(3) is in the form in which it was originally enacted: it was not reproduced in Statutes In Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 5 & 6 Will. 4. c. 62.

3 Fees.

(1) The Secretary of State may by statutory instrument make regulations prescribing the fees which may be charged in respect of the issue of any medical certificate required under section seven of the ^{M2}Cremation Act 1902.

(2) ^{F7}

Textual Amendments

- F7** S. 3(2) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

Changes to legislation: There are currently no known outstanding effects for the Cremation Act 1952. (See end of Document for details)

Marginal Citations

M2 1902 c. 8.

4 F8

Textual Amendments

F8 S. 4 repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1, Sch. 1 Pt. XVII

5 Short title, citation and commencement.

- (1) This Act may be cited as the Cremation Act 1952, and this Act and the ^{M3}Cremation Act, 1902, may be cited together as the Cremation Acts 1902 and 1952.
- (2) This Act (except subsection (2) of section two) shall come into force three months after the passing of this Act; and the said subsection (2) shall come into force on the passing of this Act.

Marginal Citations

M3 1902 c. 8.

Changes to legislation:

There are currently no known outstanding effects for the Cremation Act 1952.