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Burial and Cremation

CHRONOLOGICAL LIST OF INSTRUMENTS

SR & O	Description	Remarks	Page
1930/1016	Regulations as to Cremation		118
1952/1568	Cremation Regulations 1952		
1965/1146	Cremation Regulations 1965	Amend 1930/1016	126
1977/204	Local Authorities' Cemeteries Order 1977		
1979/1138	Cremation Regulations 1979	Amend 1930/1016	
1983/1133	Cremation (Amendment) Regulations 1983	Amends 1977/204	
1986/1782	Local Authorities' Cemeteries (Amendment) Order 1986		
1988/44	Anatomy Regulations 1988	Made under s13(3), (5) of the 1984 Act; brought the Act into force on 14 February 1988, subject to transitional provisions	141
1988/81	Anatomy Act 1984 (Commencement) Order 1988	Amend 1988/44	
1988/198	Anatomy (Amendment) Regulations 1988		

INSTRUMENTS NO LONGER IN OPERATION

The following instruments, formerly contained in this title, are no longer in operation:

SI	SI	SI
1981/1739	spent!	1982/364
		lapsed!
		1981/1739, 1740 by the Merchant Shipping (Registration, etc) Act 1993, s 8(4), Sch 5, Pt II
		2 Lapsed on repeal of certain powers by the Merchant Shipping (Registration, etc) Act 1993, s 8(4), Sch 5, Pt II

CROSS REFERENCES

Burial grounds acquired under town and country planning powers	Town and Country Planning
Coroners	Coroners
Deaths and still-births, registration	Registration Concerning the Individual
Deceased persons, removal out of England or Wales	Coroners
Funeral expenses	Social Security (Pt 1)
Transfer of functions	Constitutional Law (Pt 3)
Statutory instruments generally, their validity, effect and termination	Statutory Instruments, Vol 1 of this work

PRELIMINARY NOTE

The regulation both of burial and of cremation is the subject of statutory provisions, being principally the Acts printed in Halsbury's Statutes, 4th edn Vol 5, title Burial and Cremation. Subordinate legislation within the scope of this work is almost entirely confined to those regulations which govern cremation (see SR & O 1930/1016, p 118 post) and to the provisions for the management and regulation of local authorities' cemeteries (see SI 1977/204, p 126 post). Many burial regulations which exist are of a local rather than a general character and are, therefore, outside the scope of this work, but attention is drawn to the Registration of Births and Deaths Regulations 1987, SI 1987/2088, in the title Registration Concerning the Individual, which in Parts IX and XI include certain provisions relating to the disposal of bodies of still-born children and deceased persons, respectively; the Removal of Bodies Regulations 1954, SI 1954/448, in the title Coroners, which prescribe the procedure for the removal of bodies out of England or Wales; and the Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950, SI 1950/792, in the title Town and Country Planning.

member of the lending syndicate or as a person whose rights as a participant arise under an arrangement with a member of the lending syndicate ("a sub-participant"). Section 14A only applies if the syndicated lending is appropriately secured and, where the society's participation is as a sub-participant, the society's rights as such a participant are appropriately secured (s 14A(2)). This order provides that where a building society participates in syndicated lending as a member of the lending syndicate, the syndicated lending is appropriately secured if it is secured by security of one or more of the following kinds in respect of which specified requirements as to sufficiency of the security are satisfied: (a) a mortgage of a legal estate or an equitable interest in land; and (b) an instrument which acknowledges a debt, obliges the debtor to pay it and secures payment of the debt by means of a form of security equivalent to the kind mentioned in head (a) above, comprising title to or an interest in or over land situated in any country or territory designated under s 14(1). Where a building society participates in syndicated lending as a sub-participant, the society's rights as such a participant are appropriately secured if they are secured by a mortgage (or equivalent form of security) of all the right, title and interest of the participating member of the lending syndicate in and to security of the kind described in heads (a) and (b) above in respect of which specified requirements as to sufficiency of the security are satisfied. The order also makes provision with respect to the classification, for the purposes of the requirements of Pt III (ss 10-23 and Sch 4) of the 1986 Act for the structure of commercial assets (as to which, see s 20 and the Preliminary Note, p 66 ante), of a society's participation under s 14A in syndicated lending. An advance made by a society as a member of a lending syndicate is classified as class 1 or 2 in accordance with Pt II, as modified by this order (see below). A society's rights as a sub-participant are classified as class 1 or 2 according to whether the corresponding advance made by the participating member of the lending syndicate would be classified as class 1 or 2 under Pt III as modified by this order (see below) if it had been made by the society itself as a member of the syndicate. The order provides for the application of Pt III, with appropriate modifications, to a society's participation in syndicated lending; in particular, ss 10-14, Sch 4 are applied with specified modifications, and ss 15-23 are applied without modifications.

DEREGULATION (BUILDING SOCIETIES) ORDER 1995 SI 1995/3233

NOTES

Authority This order was made on 11 December 1995 by the Treasury under the Deregulation and Contracting Out Act 1994, s 1, Halsbury's Statutes, 4th edn Vol 47, (title Trade and Industry). Commencement Partly on 11 January 1996; remainder on 11 June 1996. General This order makes the following amendments to the Building Societies Act 1986, Halsbury's Statutes, 4th edn Vol 5, title Building Societies. Section 6(4) is amended so as to allow a building society to acquire and hold premises overseas for the purposes of the business of a subsidiary or other associated body. The order amends s 7 so as to: (i) increase the maximum percentage limit under sub-s (3) on a society's non-retail funds and deposits to 50 per cent of the society's share and deposit liabilities; (ii) insert a new sub-s (13A) which excludes from the calculation of that limit liabilities in respect of capital resources which may be aggregated with reserves for the purposes of the first criterion of prudent management; and (iii) repeal sub-s (15) and make a consequential repeal in sub-s (17) (s 7(15) related to the prescribed percentage limit for the purposes of sub-s (3), as originally enacted, and SI 1987/2131, which was made under s 7(15), has imposed accordingly: see the list of instruments no longer in operation, p 63 ante). Section 22, which obliged societies to meet the liabilities of associated bodies, is repealed, subject to certain savings, and s 28(2) is amended so as to remove the requirement that the auditors' report be read to the annual general meeting of a society. Schedule 4, para 1 is amended by the insertion of sub-para (1A), so as to remove the requirement to notify the mortgagor of the sale of mortgaged land where the person selling the land has reasonable cause to believe that communications sent to the mortgagor's last-known address are unlikely to be received by him. The amendments made to the 1986 Act by this order are set out in full in Halsbury's Statutes, 4th edn Vol 5, (title Building Societies).