



House of Commons

22 March 2020 8:41 pm

COMMITTEE OF THE WHOLE HOUSE

CORONAVIRUS BILL

Secretary Matt Hancock

Schedule 27, page 316, line 41, leave out paragraph 5

1

Member's explanatory statement

This amendment removes paragraph 5 of Schedule 27, which is replaced by amendment 2.

Secretary Matt Hancock

Schedule 27, page 320, line 15, at end insert—

2

“PART 3A

DECEASED'S WISHES ETC

- “13A(1) In carrying out functions under this Schedule local authorities and the appropriate national authorities must have regard to the desirability of disposing of a dead person's body or other remains—
- (a) in accordance with the person's wishes, if known, or
 - (b) otherwise in a way that appears consistent with the person's religion or beliefs, if known.
- (2) In carrying out functions under the legislation listed in sub-paragraph (3), designated local authorities must have regard to the desirability of disposing of a dead person's body or other remains—
- (a) in accordance with the person's wishes, if known, or
 - (b) otherwise in a way that appears consistent with the person's religion or beliefs, if known.
- (3) The legislation is—
- (a) section 46(1) or (2) of the Public Health (Control of Disease) Act 1984 (local authority to arrange burial or cremation where no other suitable arrangements being made);
 - (b) section 25(1) of the Welfare Services Act (Northern Ireland) 1971 (corresponding provision for Northern Ireland).
- (4) The following do not apply to a designated local authority—

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- (a) section 46(3) of the Public Health (Control of Disease) Act 1984 (local authority not to cause body to be cremated under that section contrary to the wishes of the deceased);
 - (b) in section 25(5) of the Welfare Services Act (Northern Ireland) 1971, the words from “and a body” to the end (corresponding provision for Northern Ireland);
 - (c) regulation 6 and 13(a) of the Cremation (Belfast) Regulations (Northern Ireland) 1961 ((S.R. & O. (N.I.) 1961 No. 61) (which provides that it is unlawful to cremate the remains of a person who is known to have left a written direction to the contrary etc).
- (5) The appropriate national authority must give guidance as to the discharge by local authorities of duties under this paragraph.
- (6) Local authorities must have regard to any guidance given under subparagraph (5).
- (7) In this paragraph “designated local authority” means a local authority for the time being designated under paragraph 4.”

Member’s explanatory statement

This amendment ensures that in carrying out functions under Schedule 27 and certain other legislation, local authorities and other public authorities have regard to the desirability of disposing of bodies in accordance with people’s wishes, religions and beliefs (if known).