

7<sup>th</sup> May 2013

**To:** All County & City Managers

Circular Letter LGCS 01/13

**Amendment of burial regulations to allow burials outside of coffins in designated areas of graveyards.**

Dear Manager,

I am directed by the Minister for the Environment, Community and Local Government to inform you of a change to Rule V of the Rule and Regulations for the Regulation of Burial Grounds, 1888, which will come into operation on 1 June, 2013.

The current Rule V states that no interment shall be permitted unless the body be enclosed in a coffin of wood or other sufficiently strong material.

Following discussions with the HSE, EPA and CCMA it has been agreed to amend the rule to allow un-coffined burials to take place in an area of a burial ground designated exclusively for this purpose. It should be noted that this can be overruled by the relevant sanitary authority or medical officer of health of the sanitary authority.

Summary of the changes:

- the main thrust of the existing rule requiring bodies to be buried in a coffin remains;
- un-coffined burials are allowed in an area of a burial ground designated exclusively for that purpose;
- there is no obligation for the provision of such a designated area in all burial grounds;
- the sanitary authority or medial officer of health can direct that such un-coffined burials should not be carried out (e.g. in situations where there would be a health or environmental risk arising);
- the penalty of £2 sterling for "any person presenting a body for interment in violation of this rule" is increased to €125. Based on the original penalty converted to euro and applying the multiple figure outlined in Section 9 of the Fines Act, 2010.

Texts of the existing and new Rule are attached in Appendix 1.

I would be grateful if you would ensure that this information is disseminated to relevant personnel.

Yours sincerely,

Tim O'Sullivan

Local Government Community Services  
Department of the Environment, Community & Local Government  
Teeling Street  
Tubbercurry  
Co. Sligo

## APPENDIX 1

The current Rule Number V. of the “Rules and Regulations for the Regulation of Burial Grounds, 1888”:

- “V. No interment shall be permitted in any burial ground, nor shall any dead body be admitted into any place of reception of bodies previous to interment, unless the body be enclosed in a coffin of wood or other sufficiently strong material. Any person presenting a body for interment in violation of this rule shall be liable to a penalty of two pounds sterling.”

The updated Rule Number V. of the “Rules and Regulations for the Regulation of Burial Grounds, 1888” which will come into operation on 1 June, 2013:

- “
- V.
- (i) Subject to (ii), no interment shall be permitted in any burial ground, nor shall any dead body be admitted into any place of reception of bodies previous to interment, unless the body be enclosed in a coffin of wood or some other sufficiently strong material. Any person presenting a body for interment in violation of this rule shall be liable to a penalty of €125.
- (ii) Uncoffined burials may be permitted, unless a direction has been issued not to do so by the relevant sanitary authority or medical officer of health of the sanitary authority, in an area of a burial ground designated exclusively for that purpose. Where an uncoffined burial is permitted, any reference in these provisions to a coffin includes a reference to the wrappings of the uncoffined body.”