



HM Government of Gibraltar

Ministry of Health, the Environment,
Energy and Climate Change

PRESS RELEASE

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Cemeteries Bill

The Government has published the new Cemeteries Bill as a Command Paper. The Bill is for an Act to replace the Cemetery Act (commenced 1889) which is outdated and required review.

The existing Act only applied to the cemetery at the north front and appointed a Superintendent of the cemetery to manage the cemetery, together with a Keeper subject to his instructions. A Board of Visitors was established to advise the Superintendent and bring to his attention any matter which in their opinion affected the management and control of the cemetery. The fine to be issued for persons making a disturbance was £5 and together with the prescribed fees as contained in the accompanying Cemetery Rules, did not reflect the current times.

The main changes in the new Act include -

1. The application of the Act is not limited to the cemetery at north front, but now applies to all Cemeteries located in Gibraltar which are under the control of the Government of Gibraltar.
2. The post of Superintendent of Cemetery disappears and replaced by a Cemetery Authority. The Cemetery Authority shall be responsible for the general management and supervision of the cemetery and registration and control of burials. The role of Keeper (in the new Act referred to as "Cemetery Keeper") shall continue and he shall be under the direction of the Cemetery Authority.
3. The Board of Visitors established under the current Act remains, save that now it -
 - (a) is known as the "Cemetery Board";
 - (b) advises the Cemetery Authority on matters concerning its powers, functions and responsibilities under the Act; and
 - (c) brings to the attention of the Cemetery Keeper any matters relating to the upkeep of the cemetery.



4. The definition of burials rights and who may construct a grave or vault on a pre-identified plot is expanded upon and how records are to be maintained.
5. Offences in the cemetery are not taken lightly and the fine for any person who creates such a disturbance or nuisance has been increased from the aforementioned £5 to a fine not exceeding level 3 on the standard scale i.e. a £1,000 fine

Minister for the Environment, Dr John Cortes, stated, "this Act was well over 100 years old and was in dire need of updating. It will provide a new and better way to run the cemeteries which I feel will be reflected in their appearance. I am grateful to the professionals and the present Board of Visitors for their contributions in the process of amending the Act."

There will now be a two week period for comments from the public which will then be considered before the Bill is published.