

ANTIGUA AND BARBUDA



PUBLIC HEALTH (AMENDMENT) BILL

No. of 2023

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AN ACT to amend the provisions of the Public Health Act Cap 353 to limit the time for keeping the remains of dead persons at funeral homes or other places authorized to keep the remains of dead persons.

ENACTED by the Parliament of Antigua and Barbuda as follows—

1. Short title and commencement

This Act may be cited as the Public Health (Amendment) Act 2023.

2. Interpretation

In this Act –

“**principal Act**” means the Public Health Act Cap 353.

3. Amendment of Section 2 – Interpretation

Section 2 of the principal Act is amended by inserting in the appropriate alphabetical position the following:

“**human corpse**” means a dead human body or the physical remains of an expired human being prior to complete decomposition.

“**social media source**” means any digital technology such as, but is not limited to, a website or internet-based application, that facilitates the sharing of ideas or information amongst its users on a digital platform.

4. Insertion of Section 160A - Time limit for keeping human corpses in funeral homes or other authorized places

The principal Act is amended by inserting immediately after section 160 the following new section as follows —

“s160A – Time limit for keeping human corpses in funeral homes or other authorized places

- (1) An unclaimed human corpse shall not be kept in a funeral home or any other place authorized to keep dead bodies for more than fourteen (14) days.
- (2) Where any human corpse as is referred to in subsection (1) remains unclaimed for more than fourteen days, the director of the funeral home or the person in charge of the authorized place for keeping human corpses shall obtain permission from the Chief Public Health Inspector to bury or cremate such corpse.
- (3) Where it is established that no one has identified the unclaimed human corpse referred to in subsection (1), the Chief Health Inspector shall cause to be published two notices in the Official Gazette and a daily newspaper circulating in Antigua and Barbuda and where practicable any social media source, within fourteen (14) days after the period specified in subsection (1), which shall state the identity of the

deceased to give any interested person the opportunity to come forward and submit a claim for the human corpse.

- (4) The expenses of the burial shall be recovered from the deceased's estate, which shall include but is not limited to, the Social Security payments to which the deceased may be entitled.
- (5) Where there are no known assets to pay for the expenses of the burial, the Government shall bear the reasonable costs for the burial of the deceased.

Passed the House of Representatives on
The day of , 2023.

Passed the Senate on the day of
 , 2023.

Speaker

President

Clerk to the House of Representatives

Clerk to the Senate

EXPLANATORY MEMORANDUM

The purpose of the Bill is to make provision for the disposal of unclaimed remains of dead persons in funeral homes or other places authorized to keep the human remains of dead persons

Clause 2 of the Bill inserts the definitions of the words “human corpse” and “social media source” into the Interpretation section of the Act.

Clause 3 of this Bill requires the Director of a funeral home or director of the authorized place for keeping dead bodies to obtain permission from the Chief Health Inspector before burying an unclaimed dead body. This section also requires the director of the funeral home to recover the expenses from assets of the person or where the person has no assets, the Government shall be responsible for the reasonable expenses of the burial.

.....
Hon. Molwyn Joseph
Minister with responsibility for Health,
Wellness, Social Transformation and the Environment