

# **PUBLIC HEALTH ETC. (SCOTLAND) ACT 2008**

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## **EXPLANATORY NOTES**

### **THE ACT – OVERVIEW**

#### **Part 6**

#### **Mortuaries Etc.**

#### **Provision of mortuaries**

##### ***Section 87 Provision of mortuaries by local authorities***

176. This section requires each local authority to provide or ensure the provision for its area of the premises and facilities it considers appropriate for the reception and temporary storage of the bodies of persons who die in the authority's area and the post-mortem examination of such bodies. Local authorities need not provide such premises and facilities for hospital-related deaths. Health boards are required to provide premises and facilities for such bodies under section 88. Local authorities are required to provide or ensure the provision for its area of facilities for bodies in relation to which the Crown Office Procurator Fiscal Service (COPFS) are carrying out investigations.
177. Local authorities need not provide the facilities themselves, but may enter into agreements with any person or organisation, including a health board, for the provision of such facilities. The premises and facilities referred to in this section need not be in the area of the local authority ensuring their provision.

##### ***Section 88 Provision of mortuaries by health boards***

178. This section requires each health board to provide or ensure the provision for its area of the premises and facilities it considers appropriate for the reception and temporary storage of the bodies of persons who die in a hospital in the board's area or who die elsewhere and whose bodies are brought to such a hospital and for the post-mortem examination of such bodies.

##### ***Section 89 Co-operation by local authorities and health boards***

179. This section places a duty of co-operation on local authorities and health boards in complying with the duties placed on each of them by sections 87 and 88.