

Status: Point in time view as at 28/12/2016.

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016. (See end of Document for details)

VALID FROM 04/04/2019

SCHEDULE 1

(introduced by section 109)

MINOR AND CONSEQUENTIAL AMENDMENTS

Social Work (Scotland) Act 1968

1 In section 29 (power of local authority to defray expenses of certain persons in visiting persons or attending funerals)—

- (a) in the title, for the words from “expenses” to the end substitute “ certain travelling expenses ”, and
- (b) after subsection (1) insert—

“(1A) In subsection (1), “child” has the meaning given by section 93(2) (a) of the Children (Scotland) Act 1995.

(1B) In subsection (1), the reference to a child who is “looked after” by a local authority is to be construed in accordance with section 17(6) of that Act of 1995.”.

Public Health etc. (Scotland) Act 2008

2 In the Public Health etc. (Scotland) Act 2008, in section 92(1)(b) (application for order in relation to bodies retained in premises)—

- (a) after “are” insert “—
 - (i) is satisfied that no arrangements have been or are being made under section 65(2) or 66(2) of the Burial and Cremation (Scotland) Act 2016 for disposal of the body; or
 - (ii)”,
- and
- (b) after “not” insert “ otherwise ”.

SCHEDULE 2

(introduced by section 110)

REPEALS

Commencement Information

II Sch. 2 in force at 28.12.2016 for specified purposes by [S.I. 2016/417](#), [reg. 2](#), [sch.](#) (with [regs. 3, 4](#))

Enactment

Burial Grounds (Scotland) Act 1855

Extent of repeal

The whole Act.

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Cremation Act 1902	The whole Act.
Scottish Board of Health Act 1919	Section 4(1)(e).
Church of Scotland (Property and Endowments) Act 1925	In section 32(1), in the second proviso, the words from “and”, where it third occurs, to the end.
Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947	Section 1(4)(a).
National Assistance Act 1948	Section 50.
Cremation Act 1952	The whole Act.
Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958	In section 12(1), paragraph (b); and the words from “, and in” to “State” where it second occurs.
Town and Country Planning (Scotland) Act 1959	In Schedule 4, in paragraph 2, the entries relating to the Burial Ground (Scotland) Act 1855 and the Cremation Act 1902.
Registration of Births, Deaths and Marriages (Scotland) Act 1965	In section 24A, in subsection (8)(b), the words “be exercised so as to”; and, in subsection (9), paragraph (a) and the word “and” immediately following it.
Social Work (Scotland) Act 1968	Section 28. Section 29(2) and (3).
Local Government (Scotland) Act 1973	Section 169(1). Section 236(2)(a) and (c).
Local Government etc. (Scotland) Act 1994	In Schedule 13, paragraphs 3(2) and 92(52).
Children (Scotland) Act 1995	In Schedule 4, in paragraph 15, sub-paragraph (12); and in sub-paragraph (13), paragraphs (b) and (c).
Public Health etc. (Scotland) Act 2008	Section 93(4).
Certification of Death (Scotland) Act 2011	In schedule 2, paragraph 1(3) and (4).
Social Care (Self-directed Support) (Scotland) Act 2013	Section 1(5)(b).

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