



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Burial in burial ground

16 Right of burial: notification of pending extinguishment

- (1) Subsection (2) applies where—
 - (a) a right of burial falls to be extinguished by virtue of section 14(2) or (5), and
 - (b) the burial authority that sold the right—
 - (i) is aware of the name and address of the right-holder, or
 - (ii) can, after reasonable enquiry, ascertain them.
- (2) At least 3 months before the day on which the right of burial falls to be extinguished, the burial authority must notify the right-holder—
 - (a) of the date on which the right falls to be extinguished,
 - (b) of the right-holder's right to apply for an extension of the right under section 14(3),
 - (c) that, where no such application is made, the right will be extinguished, and
 - (d) that the right will be extinguished if such an application is refused under section 14(6).
- (3) In this section, “right-holder”, in relation to a lair, means the person in whom the right of burial in the lair is vested.