



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 1 **S**

#### BURIAL

##### *Burial in burial ground*

#### **21 Burial authority: code of practice **S****

- (1) A burial authority must comply with any code of practice issued by the Scottish Ministers about the carrying out of functions conferred on the authority by or under this Act in relation to the management of a burial ground (a “burial code”).
- (2) Before issuing any burial code, the Scottish Ministers must consult—
  - (a) burial authorities, and
  - (b) other persons appearing to the Scottish Ministers to have an interest.
- (3) After taking account of any representations received by them by virtue of subsection (2), the Scottish Ministers must lay a draft of the burial code before the Scottish Parliament.
- (4) The Scottish Ministers may not issue a burial code unless a draft of the code is approved by resolution of the Scottish Parliament.
- (5) The Scottish Ministers must publish a burial code in such manner as they consider appropriate.
- (6) The Scottish Ministers must keep under review a burial code.
- (7) In this section, references to a burial code include references to a burial code as revised from time to time by the Scottish Ministers.

#### **Commencement Information**

**II** [S. 21](#) in force at 2.6.2023 by [S.S.I. 2023/145](#), [reg. 2](#), [sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 21.