



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 5

FUNERAL DIRECTORS

95 Licensing scheme: regulations

- (1) The Scottish Ministers may by regulations make provision for or in connection with a scheme mentioned in section 94(1).
- (2) Regulations under subsection (1) may in particular—
 - (a) specify who is to administer the scheme (in this section, the “licensing authority”),
 - (b) make provision about applications for licences under the scheme,
 - (c) specify the form and content of applications,
 - (d) make provision about the procedure to be followed in relation to applications,
 - (e) make provision about documents to be submitted with applications,
 - (f) require persons making applications to provide the licensing authority with any further information in connection with the application that the authority considers necessary,
 - (g) enable the licensing authority—
 - (i) to grant an application,
 - (ii) to refuse an application, or
 - (iii) to grant an application subject to any conditions the authority considers appropriate,
 - (h) specify the circumstances in which the licensing authority may or must—
 - (i) grant an application,
 - (ii) refuse an application, or
 - (iii) grant an application subject to such conditions as may be specified in the regulations,
 - (i) make provision for timescales applicable in relation to applications,
 - (j) make provision for the duration and expiry of licences under the scheme,

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 95. (See end of Document for details)

- (k) make provision about applications to renew licences, including provision to the same effect as that which may be made under paragraphs (c) to (i) in respect of applications for licences,
- (l) make provision in relation to—
 - (i) suspension and revocation of licences, and
 - (ii) the circumstances in which the licensing authority may suspend or revoke licences,
- (m) in relation to a person whose application for, or for renewal of, a licence has been refused, or whose licence has been suspended or revoked, make provision for the timescales applicable to any further such applications by the person,
- (n) make provision for appeals against—
 - (i) decisions of the licensing authority to grant an application for, or for renewal of, a licence,
 - (ii) decisions of the licensing authority to refuse such applications,
 - (iii) any conditions subject to which such applications are granted, or
 - (iv) decisions to suspend or revoke licences,
- (o) make provision for the period within which such appeals are to be made, or
- (p) make provision in relation to fees for applications for, and for renewal of, licences.

Commencement Information

II S. 95 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 95.