
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 417

The Burial and Cremation (Scotland) Act 2016 (Commencement No. 1, Transitory and Transitional Provisions) Regulations 2016

Transitional and transitory provision: register of burials

3.—(1) Despite the repeal of section 31 of the Burial Grounds (Scotland) Act 1855⁽¹⁾ (register of burials) each local authority must continue to prepare and maintain for each burial ground for which it is the burial authority a register of all the burials within a burial ground maintained by that authority.

(2) The register must include a record identifying those areas of ground to distinguish where remains have been buried.

(3) Subject to paragraph (4) paragraphs (1) and (2) have effect until section 10 of the Act (burial register) comes into force.

(4) An extract from a burial register kept by a local authority in accordance with paragraphs (1) and (2), or under section 31 of the Burial Grounds (Scotland) Act 1855, duly certified as a true copy by that authority, is sufficient evidence of the burial entered in it for the purposes of any court proceedings.

⁽¹⁾ 1855 c.68.