



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Burial in burial ground

14 Duration and extension of right of burial

- (1) This section applies in relation to any right of burial other than one that vests in the Commonwealth War Graves Commission.
- (2) A right of burial is extinguished at the end of the period of 25 years beginning with the day on which the right was sold.
- (3) The burial authority may, on the application of a person in whom the right of burial is vested, extend the period for which the right subsists.
- (4) An extension under subsection (3) may be granted on more than one occasion.
- (5) Where an extension is granted under subsection (3), the right is extinguished at the end of the period of 10 years beginning with the day on which the right would, but for the extension, otherwise be extinguished.
- (6) A burial authority may refuse an application mentioned in subsection (3) if, in the opinion of the authority, it is reasonable to do so.
- (7) Subsection (8) applies where—
 - (a) the person in whom a right of burial is vested dies before the right is extinguished, and
 - (b) the right does not transfer to and vest in another person by virtue of any testamentary provision, enactment or rule of law.
- (8) The right vests in, and may be exercised by, the burial authority that sold the right.
- (9) For the purposes of calculating any period of time mentioned in this section, the day on which a right of burial is sold is to be taken to be the day recorded, in respect of the right, in the appropriate register under section 17.