



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Burial in burial ground

17 Register of rights of burial

- (1) This section applies where a burial authority sells a right of burial in a burial ground for which it is the burial authority.
- (2) The burial authority must, in relation to each such burial ground, prepare and maintain a register containing—
 - (a) information about lairs in the burial ground in which rights of burial have been sold by the authority,
 - (b) the date on which the rights were sold by the authority,
 - (c) the names and addresses of persons to whom the authority sold the rights, and
 - (d) subject to subsection (3), the names and addresses of persons in whom the right of burial vests (where such persons do not fall within paragraph (c)).
- (3) If the burial authority is unaware of, or is unable after reasonable enquiry to ascertain, the names and addresses of the persons mentioned in subsection (2)(d), the authority need not comply with the duty imposed by that subsection.
- (4) The burial authority may take such steps as it considers necessary—
 - (a) to ascertain whether the information in the register is current and accurate, and
 - (b) to obtain information to enable the authority to adjust the information to ensure the register is current and accurate.
- (5) The register must be kept indefinitely.
- (6) An extract from a register maintained by a burial authority under this section, duly certified as a true copy by the burial authority, is in relation to matters contained in the extract sufficient evidence of those matters for the purposes of any court proceedings.

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 17. (See end of Document for details)

Commencement Information

II S. 17 in force at 28.12.2016 by [S.S.I. 2016/417](#), reg. 2, **sch.** (with [reg. 4](#))

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