



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Private burial

24 Private burial: offences

- (1) A person commits an offence if the person contravenes section 22(3) by knowingly carrying out a private burial that is not authorised by the relevant local authority.
- (2) A person commits an offence if, without reasonable excuse, the person fails to comply with the requirement imposed by section 22(4).
- (3) A person commits an offence if the person—
 - (a) provides information in, or in connection with, an application made by virtue of regulations under section 22 which the person knows to be false or misleading in a material way, or
 - (b) recklessly provides information in, or in connection with, such an application which is false or misleading in a material way.
- (4) A person who commits an offence under subsection (1) is liable on summary conviction to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 3 on the standard scale or to both.
- (5) A person who commits an offence under subsection (2) or (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) In subsection (1), “relevant local authority” is to be construed in accordance with section 22(6).