



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Burial grounds

5 Joint provision of burial ground

- (1) Any two or more local authorities may make arrangements to provide jointly a burial ground within the area of one or more of the authorities.
- (2) If a burial ground which is provided jointly by two or more local authorities under subsection (1) is wholly within the area of one of the authorities, that authority is deemed to have complied with section 3(1)(a).
- (3) Subsection (4) applies where a burial ground is provided jointly under subsection (1) by two or more local authorities that are burial authorities.
- (4) Any functions exercisable under, or by virtue of, this Act or any other enactment by a burial authority in relation to a burial ground are to be exercised—
 - (a) jointly by the local authorities in relation to the burial ground, and
 - (b) in accordance with such arrangements as may be made between the authorities in relation to the burial ground.
- (5) In this section, “burial ground” has the meaning given by section 1 except that it does not include land mentioned in paragraph (b) of that section.

Commencement Information

II S. 5 in force at 28.12.2016 by [S.S.I. 2016/417](#), reg. 2, [sch.](#) (with [reg. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 5.