



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Burial grounds

6 Management of burial ground

- (1) The Scottish Ministers may by regulations make provision for or in connection with the management, regulation and control by a burial authority of burial grounds.
- (2) Regulations under subsection (1) may in particular make provision for or in connection with—
 - (a) the maintenance of—
 - (i) burial grounds, and
 - (ii) buildings, walls, fences or other structures erected on burial grounds,
 - (b) enclosing, laying out and embellishing burial grounds,
 - (c) access to and within burial grounds, including the construction, repair, maintenance and improvement of roads and paths,
 - (d) the maintenance and repair of memorials, buildings and other structures on burial grounds (including for the purpose of making them safe),
 - (e) the charging of fees by burial authorities which are local authorities in respect of such matters as may be specified in the regulations,
 - (f) persons employed by burial authorities (including in relation to training, qualifications and membership of professional bodies),
 - (g) conditions relating to the erection of a memorial, building or other structure on burial grounds,
 - (h) the imposition by burial authorities of such restrictions and conditions as they think necessary or appropriate in relation to—
 - (i) the layout of burial grounds (including in relation to the size of, and distance between, lairs),
 - (ii) the right to erect a memorial, building or other structure on burial grounds (including in relation to materials, construction, size,

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 6. (See end of Document for details)

maintenance and liability for costs in respect of work carried out by burial authorities),

- (i) the depth at which human remains may be buried,
- (j) the designation of part of a burial ground for use by particular faiths or religious bodies,
- (k) the provision of buildings for the use of persons of particular faiths or belonging to particular religious bodies,
- (l) creating criminal offences to be triable summarily and punishable by a fine not exceeding level 3 on the standard scale, or
- (m) defences and evidential matters relating to such offences.

Commencement Information

II S. 6 in force at 28.12.2016 by S.S.I. 2016/417, reg. 2, sch. (with reg. 4)

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