



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 3

#### ARRANGEMENTS

##### *Pregnancy loss after 24 weeks*

#### **73 Section 72: health body authorised to make arrangements**

- (1) This section applies where—
  - (a) a still-birth occurs other than in consequence of the termination of a woman's pregnancy by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967, and
  - (b) the appropriate health body is authorised by virtue of section 72(2)(b) to make arrangements for the remains of the fetus to be buried or cremated.
- (2) The appropriate health body—
  - (a) may make arrangements for the remains to be buried or cremated, and
  - (b) if by virtue of section 72(2)(b)(i) it is authorised to do so in a specified way, must do so in that way.
- (3) The appropriate health body may make the arrangements—
  - (a) if the authorisation was given by virtue of section 72(2)(c)(i), as soon as practicable after the still-birth occurs,
  - (b) if the authorisation was given by virtue of section 72(2)(c)(ii) and not withdrawn before the expiry of the 7-day period, after the expiry of that period.
- (4) In this section, “7-day period” and “appropriate health body” have the meanings given by section 72(5).

#### **Commencement Information**

- II** [S. 73](#) in force at 4.4.2019 by [S.S.I. 2018/380](#), [reg. 2](#), [sch.](#) (with [reg. 8](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 73.