Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 5 S

FUNERAL DIRECTORS

95 Licensing scheme: regulations S

(1) The Scottish Ministers may by regulations make provision for or in connection with a scheme mentioned in section 94(1).

(2) Regulations under subsection (1) may in particular—

(a) specify who is to administer the scheme (in this section, the "licensing authority"),

(b) make provision about applications for licences under the scheme,

(c) specify the form and content of applications,

(d) make provision about the procedure to be followed in relation to applications,

(e) make provision about documents to be submitted with applications,

(f) require persons making applications to provide the licensing authority with any further information in connection with the application that the authority considers necessary,

(g) enable the licensing authority—

(i) to grant an application,

(ii) to refuse an application, or

(iii) to grant an application subject to any conditions the authority considers appropriate,

(h) specify the circumstances in which the licensing authority may or must—

(i) grant an application,

(ii) refuse an application, or

(iii) grant an application subject to such conditions as may be specified in the regulations,

(i) make provision for timescales applicable in relation to applications,

(j) make provision for the duration and expiry of licences under the scheme,

(k) make provision about applications to renew licences, including provision to the same effect as that which may be made under paragraphs (c) to (i) in respect of applications for licences,

(l) make provision in relation to—

(i) suspension and revocation of licences, and

(ii) the circumstances in which the licensing authority may suspend or revoke licences,

(m) in relation to a person whose application for, or for renewal of, a licence has been refused, or whose licence has been suspended or revoked, make provision for the timescales applicable to any further such applications by the person,

(n) make provision for appeals against—

(i) decisions of the licensing authority to grant an application for, or for renewal of, a licence,

(ii) decisions of the licensing authority to refuse such applications,

(iii) any conditions subject to which such applications are granted, or

(iv) decisions to suspend or revoke licences,

(o) make provision for the period within which such appeals are to be made, or

(p) make provision in relation to fees for applications for, and for renewal of, licences.

Commencement Information

I1 S. 95 in force at 2.6.2023 by S.S.I. 2023/145, reg. 2, **sch.**

Changes to legislation:
There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 95.