



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 5

FUNERAL DIRECTORS

96 Licence for funeral director's business: offences

- (1) A person commits an offence if the person knowingly carries on business as a funeral director at any time when the person does not hold a licence issued under a scheme made under section 94(1) in relation to the business.
- (2) For the purposes of subsection (1), a person does not hold a licence in relation to a business at any time when—
 - (a) no licence has been issued as mentioned in subsection (1) in relation to the business,
 - (b) a licence so issued in relation to the business has, in accordance with regulations under section 95—
 - (i) expired without being renewed,
 - (ii) been suspended, or
 - (iii) been revoked.
- (3) A person commits an offence if the person—
 - (a) provides information in, or in connection with, an application made by virtue of section 95 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) or (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.