

These notes relate to the Burial and Cremation (Scotland) Act 2016 (asp 20) which received Royal Assent on 28 April 2016

BURIAL AND CREMATION (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5 – Funeral Directors

Section 97 – Funeral director: code of practice

- 256. Subsection (1) provides that a funeral director must comply with any new or revised codes of practice issued by Scottish Ministers in relation to the carrying out of a funeral director's functions.
- 257. Under subsection (2), the Scottish Ministers will be required to consult with funeral directors and any other relevant parties before issuing a funeral director's code or revising an existing code.
- 258. Subsection (3) requires the Scottish Ministers to lay a draft of the funeral director's code before the Scottish Parliament, after taking account of any representations made by virtue of subsection (2). A funeral director's code may not be issued until it has been approved by a resolution of the Scottish Parliament. Subsection (5) requires the Scottish Ministers to publish such a code in such manner as they consider appropriate, and subsection (6) requires the Scottish Ministers to keep any code of practice under review. Subsection (7) provides that references to a funeral director's code also include references to a revised code.