



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 3

ARRANGEMENTS

Pregnancy loss on or before 24 weeks

83 Appropriate health authority authorised to make arrangements

- (1) This section applies where by virtue of section 79(2)(c), 80(2) or 81(2)(a) an appropriate health authority is authorised to make arrangements for remains to be buried or cremated.
- (2) After the expiry of the 7-day period, the appropriate health authority—
 - (a) must make arrangements for the remains to be buried or cremated, and
 - (b) if by virtue of section 79(2)(c)(i), 80(2) or 81(2)(a)(i) it is authorised to do so in a specified way, must do so in that way.
- (3) Subsections (4) and (5) apply if the person who authorised the appropriate health authority to make the arrangements for the disposal of the remains informs the authority that the person has decided that the authority may make the arrangements before the expiry of the 7-day period.
- (4) The appropriate health authority must—
 - (a) record the person's decision in the appropriate form, and
 - (b) take reasonable steps to secure the person's signature.
- (5) The appropriate health authority—
 - (a) may make arrangements for the remains to be buried or cremated before the expiry of the 7-day period, and
 - (b) if by virtue of section 79(2)(c)(i), 80(2) or 81(2)(a)(i) it is authorised to do so in a specified way, must do so in that way.
- (6) In this section—

“7-day period” means the period of 7 days beginning with the day on which authorisation is given by virtue of section 79(2)(c), 80(2) or 81(2)(a),

“appropriate health authority” has the meaning given by section 79(9).

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 83. (See end of Document for details)

Commencement Information

II S. 83 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 83.