

SCOTTISH STATUTORY INSTRUMENTS

2018 No. 384

The Burial and Cremation (Pregnancy Loss Prescribed Information and Forms) (Scotland) Regulations 2018

Pregnancy loss on or before 24 weeks

Pregnancy losses: health authority register

10.—(1) For the purpose of section 85(1) (duty of health authority to keep register)—

- (a) where paragraph (2) applies, the prescribed information is the information in Part 1 of schedule 4, and
- (b) where paragraph (3) applies the prescribed information is the information in Part 2 of schedule 4.

(2) This paragraph applies where, by virtue of the provisions mentioned in column 1 of the following table the health authority (as appropriate health body within the meaning of the provision mentioned in column 2 of the table) is authorised to make arrangements for the remains of the fetus to be buried or cremated

<i>Column 1</i> Provision by virtue of which the health authority is authorised to make arrangements for burial or cremation	<i>Column 2</i> Appropriate health body	<i>Column 3</i> Reference to “woman” in schedule 4
section 69(2)(b)	as appropriate health body within the meaning of section 69(5)	the woman whose pregnancy is terminated after its 24th week by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 71(2)(b)	as appropriate health authority within the meaning of section 69(5)	the woman whose pregnancy is terminated after its 24th week by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 72(2)(b)	as appropriate health body within the meaning of section 72(5)	the woman whose pregnancy is terminated after its 24th week by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 74(4)(a)	as appropriate health body within the meaning of section 74(10)	the woman whose pregnancy ends in still-birth other than in consequence

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1</i> Provision by virtue of which the health authority is authorised to make arrangements for burial or cremation	<i>Column 2</i> Appropriate health body	<i>Column 3</i> Reference to “woman” in schedule 4
		of the termination of the pregnancy by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 77(2)(c)	as relevant health body within the meaning of section 77(5)	the woman whose pregnancy ends in still-birth other than in consequence of the termination of the pregnancy by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 79(2)(c)	as appropriate health authority within the meaning of section 79(9)	the woman whose pregnancy ends on or before completion of its 24th week
section 81(2)(a)	as appropriate health authority within the meaning of section 79(9)	the woman whose pregnancy ends on or before completion of its 24th week
section 84(2)	as appropriate health authority within the meaning of section 79(9)	the woman whose pregnancy ends on or before completion of its 24th week.

(3) This paragraph applies where, by virtue of the provisions mentioned in column 1 of the following table the health authority (as the appropriate health authority or health body within the meaning of the provision mentioned in column 2 of the table) is authorised to make arrangements for the remains of the fetus to be buried or cremated

<i>Column 1</i> Provision by virtue of which the health authority is authorised to make arrangements for burial or cremation	<i>Column 2</i> Appropriate health body	<i>Column 3</i> Reference to “woman” in schedule 4
section 71(5)	as appropriate health authority within the meaning of section 69(5)	the woman whose pregnancy is terminated after its 24th week by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 76(2)	as appropriate health body within the meaning of section 74(10)	the woman whose pregnancy ends in still-birth other than

<i>Column 1</i> Provision by virtue of which the health authority is authorised to make arrangements for burial or cremation	<i>Column 2</i> Appropriate health body	<i>Column 3</i> Reference to “woman” in schedule 4
		in consequence of the termination of the pregnancy by virtue of section 1(1)(b), (c) or (d) of the Abortion Act 1967
section 84(3)	as appropriate health authority within the meaning of section 79(9)	the woman whose pregnancy ends on or before completion of its 24th week.

(4) In this regulation and in schedule 4—

- (a) “health authority” (other than when it appears in the phrase “appropriate health authority”) has the meaning given in section 85(4),
- (b) “nearest relative” is to be construed in accordance with section 74(3) (read with section 74(7) to (9)), and
- (c) references to “the woman” are to be construed in accordance with the description in column 3 of the tables in paragraphs (2) and (3).