



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 3

ARRANGEMENTS

Pregnancy losses: general

85 Duty to keep register

- (1) Each health authority must prepare and maintain a register containing—
 - (a) prescribed information about the burial or cremation, in pursuance of sections 69 to 84, of the remains of a fetus, and
 - (b) other prescribed information.
- (2) The Scottish Ministers may by regulations—
 - (a) require a register kept under this section to be in a specified form and kept in a specified manner, or
 - (b) make such other provision relating to such a register as they consider appropriate.
- (3) A register kept under this section must be kept indefinitely.
- (4) In this section—
 - “health authority” means a Health Board or an independent health care service,
 - “specified” means specified in the regulations.

86 Register under section 85: offence

- (1) A health authority commits an offence if, without reasonable excuse, the authority contravenes section 85(1) by failing to prepare or maintain a register as required under that section.
- (2) A health authority which commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) In this section, “health authority” means a Health Board or an independent health care service.