



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 7

#### GENERAL

#### **104 Regulations: consultation requirements**

- (1) Before making any regulations under section 6(1), 8(2), 10(1) or (2), 33(3)(b) or (c) or (4), 34(2) or (3), 35(3), 36(4)(b) or 42, the Scottish Ministers must consult—
  - (a) burial authorities, and
  - (b) any other persons the Scottish Ministers consider appropriate.
- (2) Before making any regulations under section 22(1) or 23(2), the Scottish Ministers must consult—
  - (a) local authorities, and
  - (b) any other persons the Scottish Ministers consider appropriate.
- (3) Before making any regulations under section 27(1), the Scottish Ministers must consult—
  - (a) burial authorities,
  - (b) cremation authorities,
  - (c) inspectors, and
  - (d) any other persons the Scottish Ministers consider appropriate.
- (4) Before making any regulations under Part 2, the Scottish Ministers must consult—
  - (a) cremation authorities, and
  - (b) any other persons the Scottish Ministers consider appropriate.
- (5) Before making any regulations under section 90, the Scottish Ministers must consult—
  - (a) burial authorities,
  - (b) cremation authorities,
  - (c) persons appearing to the Scottish Ministers to be representative of the interests of funeral directors in Scotland, and
  - (d) any other persons the Scottish Ministers consider appropriate.

---

**Changes to legislation:** There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 104. (See end of Document for details)

---

- (6) Before making any regulations under section 99(1), the Scottish Ministers must consult any persons they consider appropriate.

**Commencement Information**

- I1** S. 104(1) in force at 28.12.2016 for specified purposes by S.S.I. 2016/417, reg. 2, sch. (with reg. 4)
- I2** S. 104(1) in force at 4.4.2019 in so far as not already in force by S.S.I. 2018/380, reg. 2, sch. (with reg. 8)
- I3** S. 104(2)-(6) 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 104.