



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 7

#### GENERAL

#### **105 Regulations under section 95(1): requirements**

- (1) Before laying a draft of a Scottish statutory instrument containing regulations under section 95(1) before the Scottish Parliament, the Scottish Ministers must—
  - (a) prepare a draft of the regulations,
  - (b) consult the persons mentioned in subsection (2) about the draft regulations, and
  - (c) in preparing the draft Scottish statutory instrument, have regard to any representations received by them by virtue of paragraph (b).
- (2) The persons are—
  - (a) persons appearing to the Scottish Ministers to be representative of the interests of funeral directors in Scotland, and
  - (b) any other persons the Scottish Ministers consider appropriate.
- (3) When laying a draft of a Scottish statutory instrument containing regulations under section 95(1) before the Scottish Parliament, the Scottish Ministers must also lay before the Parliament a document which—
  - (a) summarises any representations received by them by virtue of subsection (1)(b), and
  - (b) describes any changes made to the draft regulations prepared under subsection (1)(a) whether as a result of those representations or otherwise.