



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Exhumation

30 Exhumation register

- (1) Each burial authority must prepare and maintain for each burial ground for which it is the burial authority a register containing prescribed information about exhumations of human remains carried out in the burial ground.
- (2) Each local authority must prepare and maintain a register containing prescribed information about exhumations of human remains the private burial of which was authorised by the authority under section 22(3).
- (3) In this section, a register prepared and maintained under subsection (1) or (2) is referred to as an “exhumation register”.
- (4) The Scottish Ministers may by regulations—
 - (a) require an exhumation register to be in a specified form and kept in a specified manner, or
 - (b) make such other provision relating to an exhumation register as they consider appropriate.
- (5) The appropriate authority must make arrangements for its exhumation register to be made available for inspection by members of the public on payment of such reasonable charge (if any) as the authority may determine.
- (6) The appropriate authority must make arrangements for copies of entries in its exhumation register to be supplied, on request, to members of the public on payment of such reasonable charge (if any) as the authority may determine.
- (7) An exhumation register must be kept indefinitely.

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 30. (See end of Document for details)

- (8) An extract from an exhumation register, duly certified as a true copy by the appropriate authority, is sufficient evidence of the exhumation entered in it for the purposes of any court proceedings.
- (9) In this section—
- “appropriate authority”—
- (a) in relation to an exhumation register maintained under subsection (1), means a burial authority,
 - (b) in relation to an exhumation register maintained under subsection (2), means a local authority,
- “specified” means specified in the regulations.

Commencement Information

II S. 30 in force at 2.6.2023 for specified purposes by [S.S.I. 2023/145, reg. 2, sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 30.