



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 1

BURIAL

Lair: restoration to use

42 Register of restored lairs

- (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 things done by the authority for the purposes of, or in connection with, the functions conferred on the authority by sections 32 to 41 (a “register of restored lairs”).
- (2) The Scottish Ministers may by regulations—
 - (a) require a register of restored lairs to be in a specified form and kept in a specified manner, or
 - (b) make such other provision relating to a register of restored lairs as they consider appropriate.
- (3) A burial authority must make arrangements for each of its registers of restored lairs to be made available for inspection by members of the public on payment of such reasonable charge (if any) as the authority may determine.
- (4) A burial authority must make arrangements for copies of entries in its registers of restored lairs to be supplied, on request, to members of the public on payment of such reasonable charge (if any) as the authority may determine.
- (5) A register of restored lairs must be kept indefinitely.
- (6) An extract from a register of restored lairs kept by a burial authority, duly certified as a true copy by the burial authority, is in relation to the matters contained in the extract sufficient evidence of those matters for the purposes of any court proceedings.
- (7) In subsection (2), “specified” means specified in the regulations.

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 42. (See end of Document for details)

Commencement Information

II [S. 42](#) in force at 2.6.2023 for specified purposes by [S.S.I. 2023/145](#), reg. 2, [sch.](#)

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