Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 3

ARRANGEMENTS

Adults and children

67 Arrangements under sections 65 and 66

(1) This section applies where a person is entitled by virtue of section 65(2) or 66(2) to make the arrangements for the remains of an adult or child to be buried or cremated.

(2) The person may decide whether the remains are to be buried or cremated.

(3) In making a decision for the purposes of subsection (2), the person must, so far as known to the person, have regard to—

(a) any wishes that the adult or child expressed as to the burial or cremation of the remains, and

(b) whether the adult or child is of a particular religion or belief.

(4) In this section—

"adult" has the meaning given by section 65(8),

"belief" has the meaning given by section 10(2) of the Equality Act 2010,

"child" has the meaning given by section 66(7),

"religion" has the meaning given by section 10(1) of the Equality Act 2010.

(5) This section is subject to section 92 of the Public Health etc. (Scotland) Act 2008.