



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 3

ARRANGEMENTS

Pregnancy loss after 24 weeks

75 Section 74: power of appropriate health body

- (1) This section applies where the appropriate health body is authorised under section 74(4)(a) to make arrangements for the remains of a still-born child to be buried or cremated.
- (2) After the expiry of the 7-day period, the appropriate health body may make arrangements for the remains to be buried or cremated.
- (3) Subsections (4) and (5) apply if the person who authorised the appropriate health body to make the arrangements for the burial or cremation of the remains informs the body that the person has decided that the body may make the arrangements before the expiry of the 7-day period.
- (4) The appropriate health body must—
 - (a) record the person's decision in the prescribed form, and
 - (b) take reasonable steps to secure the person's signature.
- (5) The appropriate health body—
 - (a) may make arrangements for the remains to be buried or cremated before the expiry of the 7-day period, and
 - (b) if by virtue of section 74(4)(a)(i) it is authorised to do so in a specified way, must do so in that way.
- (6) In this section—

“7-day period” means the period of 7 days beginning with the day on which authorisation is given under section 74(4)(a),

“appropriate health body” has the meaning given by section 74(10).

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 75. (See end of Document for details)

Commencement Information

II S. 75 in force at 4.4.2019 by S.S.I. 2018/380, reg. 2, **sch.** (with reg. 8)

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There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 75.