



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 1

#### BURIAL

##### *Burial in burial ground*

#### **8 Application to carry out burial**

- (1) A person may not carry out a burial of human remains in a burial ground unless—
  - (a) the person has submitted to the burial authority for the burial ground an application to carry out the proposed burial, and
  - (b) the application has been granted.
- (2) The Scottish Ministers may by regulations make provision for or in connection with applications mentioned in subsection (1).
- (3) In making such an application, a person must comply with any requirements imposed by or under regulations under subsection (2).
- (4) Regulations under subsection (2) may in particular—
  - (a) specify the form and content of applications,
  - (b) specify persons, or a description of persons, who may issue forms on which applications are to be made,
  - (c) prohibit such persons from altering the forms other than in such ways as may be specified in the regulations,
  - (d) specify persons, or a description of persons, who may submit applications,
  - (e) make provision about documents to be submitted with applications, or
  - (f) make provision for reviews of, or appeals against, decisions of a burial authority—
    - (i) to grant an application, or
    - (ii) to refuse to grant an application.

---

**Changes to legislation:** There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 8. (See end of Document for details)

---

.....

### Commencement Information

**II** S. 8 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 8.