



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 3

#### ARRANGEMENTS

##### *Pregnancy loss on or before 24 weeks*

#### **82 Duty to transfer remains**

- (1) Subsection (2) applies where by virtue of a decision made by a woman under section 79(2)(a) the arrangements for the burial or cremation of the remains of a fetus are to be made by the woman.
- (2) The appropriate health authority must give the remains to the woman.
- (3) Subsection (4) applies where by virtue of a decision made by a woman under section 79(2)(b) an individual is authorised to make the arrangements for the burial or cremation of the remains of a fetus.
- (4) The appropriate health authority must give the remains to the individual.
- (5) In this section, “appropriate health authority” has the meaning given by section 79(9).

#### **Commencement Information**

**II** S. 82 in force at 4.4.2019 by S.S.I. 2018/380, reg. 2, sch. (with reg. 8)

**Changes to legislation:**

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 82.