



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 4

INSPECTION

90 Inspections: regulations

- (1) The Scottish Ministers may by regulations make provision for or in connection with—
 - (a) the carrying out of inspections of burial grounds and burial authorities by inspectors of burial appointed under section 89(1),
 - (b) the carrying out of inspections of crematoriums and cremation authorities by inspectors of cremation so appointed,
 - (c) the carrying out of inspections of funeral directors by inspectors of funeral directors so appointed.
- (2) In subsection (3), burial authorities, cremation authorities and funeral directors are referred to as “relevant bodies”.
- (3) Regulations under subsection (1) may in particular make provision for or in connection with—
 - (a) other functions of inspectors in relation to inspections,
 - (b) circumstances in which inspections are to be carried out,
 - (c) the frequency of inspections,
 - (d) reports by inspectors in relation to inspections,
 - (e) steps that may be taken by inspectors for the purpose of ensuring compliance with—
 - (i) requirements or conditions contained in enactments, codes of practice or guidance applicable to relevant bodies, or
 - (ii) conditions in any licence necessary to operate as a relevant body,
 - (f) steps that may be taken by inspectors to enforce such requirements or conditions,
 - (g) the procedure to be followed, and timescales applicable, in relation to such steps,

Changes to legislation: There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 90. (See end of Document for details)

- (h) where by virtue of paragraph (e) or (f) an inspector proposes to suspend the operation of activities of relevant bodies, or suspend or revoke any licence necessary to operate as a relevant body—
 - (i) recommendations by inspectors to the Scottish Ministers in relation to the proposal,
 - (ii) information to be provided by inspectors in connection with such recommendations,
 - (iii) decisions of the Scottish Ministers in relation to such recommendations,
- (i) reviews of or appeals against—
 - (i) decisions of inspectors made by virtue of the regulations, and
 - (ii) decisions of the Scottish Ministers mentioned in paragraph (h)(iii),
- (j) investigations of complaints against relevant bodies (in particular or in general) and the procedure to be followed in relation to such investigations, or
- (k) sanctions inspectors may impose in relation to such investigations.

Commencement Information

II S. 90 in force at 2.6.2023 by S.S.I. 2023/145, reg. 2, sch.

Changes to legislation:

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