



# Burial and Cremation (Scotland) Act 2016

## 2016 asp 20

### PART 5

#### FUNERAL DIRECTORS

#### 97 Funeral director: code of practice

- (1) A funeral director must comply with any code of practice issued by the Scottish Ministers about the carrying out of a funeral director's functions (a "funeral director's code").
- (2) Before issuing any funeral director's code, the Scottish Ministers must consult—
  - (a) persons appearing to the Scottish Ministers to be representative of the interests of funeral directors in Scotland, and
  - (b) other persons appearing to the Scottish Ministers to have an interest.
- (3) After taking account of any representations received by them by virtue of subsection (2), the Scottish Ministers must lay a draft of the funeral director's code before the Scottish Parliament.
- (4) The Scottish Ministers may not issue a funeral director's code unless a draft of the code is approved by resolution of the Scottish Parliament.
- (5) The Scottish Ministers must publish a funeral director's code in such manner as they consider appropriate.
- (6) The Scottish Ministers must keep under review a funeral director's code.
- (7) In this section, references to a funeral director's code include references to a funeral director's code as revised from time to time by the Scottish Ministers.

#### Commencement Information

**II** S. 97 in force at 24.3.2021 by S.S.I. 2021/126, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 97.