
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 380

**The Burial and Cremation (Scotland) Act 2016
(Commencement No. 3, Transitional, Saving
and Transitory Provisions) Regulations 2018**

Application for cremation: transitional provision

4.—(1) This regulation applies where an application for cremation is submitted to a cremation authority before the appointed day and the cremation has not taken place before that day.

(2) Regulations 7, 8, 12, 13 and 16 (conditions under which cremation may take place) of the 1935 Regulations continue to have effect in relation to the carrying out of the cremation.

(3) Sections 48 (application for cremation), 49 (section 48: offences), 50 (requirements for carrying out cremation) and 51 (duty of cremation authority before carrying out cremation) of the Act do not apply to the carrying out of that cremation.

(4) For the purposes of regulations 7, 8, 12, 13 and 16 of the 1935 Regulations, the definitions in the section entitled “Definitions” and the schedule of those Regulations continue to have effect.