Burial and Cremation (Scotland) Bill

The Scottish Parliament’s Finance Committee invites organisations and individuals to submit written evidence setting out their views on the financial implications of the Burial and Cremation (Scotland) Bill.

The Bill

The Burial and Cremation (Scotland) Bill was introduced by the Scottish Government on 8 October 2015.

The estimated financial implications of the Bill are set out in its accompanying Financial Memorandum (FM). A copy of the FM can be found at page 31 of the Explanatory Notes.

The Bill is in 6 parts and contains 2 schedules:

- Part 1 covers burial, including burial grounds, burials in burial grounds, private burials, exhumations, the restoration to use of burial lairs and fees for interment.
- Part 2 covers cremation.
- Part 3 covers arrangements on death, including arrangements on the death of adults and children and losses during pregnancy, and local authority functions in relation to the disposal of remains in certain circumstances.
- Part 4 covers inspections.
- Part 5 covers miscellaneous provisions, including powers for the Scottish Ministers to make a scheme for the licensing of funeral directors’ premises, to issue codes of practice and powers to modify enactments.
- Part 6 covers general provisions, which are largely technical in nature (eg, general provisions relating to regulations, ancillary provision, Crown application).
- Schedule 1 lists minor and consequential amendments.
- Schedule 2 lists repeals.
The Financial Memorandum

The FM sets out the costs and savings associated with the Bill as they apply to various sectors, as well as the Scottish Government and it states that the Bill is expected to have relatively few costs for key stakeholders. Table 1 on pages 48-49, at the end FM, sets out the overall impact of the Bill on various stakeholders and the estimated costs and savings / income.

How to submit evidence

The Health and Sport Committee and the Local Government and Regeneration Committee will both scrutinise the Burial and Cremation (Scotland) Bill, each looking at different aspects of the Bill. They have issued separate calls for evidence in relation to the Bill’s policy provisions.

The Finance Committee invites you to respond to the attached questions about the Bill’s financial implications by Friday 20 November 2015. All responses should be sent electronically (in MS Word - no confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament’s policy for handling written evidence received in response to calls for evidence.

What happens next?

All written evidence received will be considered and you may be invited to provide further information to the Committee in oral evidence. As a result of the sometimes tight deadlines for Parliamentary scrutiny of a Bill it is possible that any invitation to give evidence might be extended at relatively short notice.

Should you have any queries in relation to this, please do not hesitate to contact the Committee clerking team on Tel: 0131 348 5451
Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or that may be affected by, the financial implications of the Burial and Cremation (Scotland) Bill. Estimates of the Bill’s financial implications are set out in its accompanying Financial Memorandum (FM), which can be found at page 31 of the Explanatory Notes.

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee’s scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

3. Did you have sufficient time to contribute to the consultation exercise?

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?