



The Scottish Parliament  
Pàrlamaid na h-Alba

## Health, Social Care and Sport Committee

Local Authorities in Scotland

19 November 2024

Good afternoon

### Burial Law in Scotland

On 14 November 2024, the Scottish Government laid the following subordinate legislation in relation to burial law in Scotland:

- [The Burial and Cremation \(Scotland\) Act 2016 \(Commencement No. 6 and Transitional Provisions\) Regulations 2024](#)
- [The Burial \(Applications and Register\) \(Scotland\) Regulations 2024](#)
- [The Burial \(Management\) \(Scotland\) Regulations 2025](#)
- [The Burial and Cremation \(Inspection\) \(Scotland\) Regulations 2025](#)

To aid the Committee's scrutiny of these instruments, we are writing to seek your views on the above instruments, in particular:

1. What are your views on all or some of the provisions covered in the Burial (Management) (Scotland) Regulations 2025 in relation to the management and maintenance of burial grounds in Scotland, including:
  - The requirement to prepare and maintain a publicly accessible burial management plan;
  - Maintenance and repair of burial grounds;
  - Safety of headstones and other memorials;
  - Removal of unauthorised headstones or other memorials;
  - Training;
  - Designation for use by faith, religious or belief groups.

#### ACC Responses:

Our view is that the provisions covered in the Burial (Management) (Scotland) Regulations 2025 in relation to the management and maintenance of burial grounds in Scotland are well balanced and a sensible way forward.

Contact: Health, Social Care and Sport Committee, The Scottish Parliament, Edinburgh, EH99 1SP.

Email [HSCS.Committee@parliament.scot](mailto:HSCS.Committee@parliament.scot). We welcome calls through Relay UK and in BSL through Contact Scotland BSL.

2. What are your views on all or some of the provisions covered in the Burial and Cremation (Inspection) (Scotland) Regulations 2025, in relation to inspection, enforcement and appeals for burial authorities, cremation authorities and funeral directors?

**ACC Responses:**

We agree with all the provisions covered in the Burial and Cremation (Inspection) (Scotland) Regulations 2025, in relation to inspection, enforcement and appeals for burial authorities, cremation authorities and funeral directors.

3. Do you have any specific concerns about any of the instruments outlined above?

**ACC Responses: No. We have no concerns.**

4. In your view, what financial impact could this legislation have on the delivery of burial services?

**ACC Responses: We believe this legislation will have a very minimal financial impact on the delivery of burial services.**

5. The Scottish Government's business and regulatory impact assessment states that burial authorities and funeral directors may experience minor training and administrative impacts associated with the legislation. How might the additional training and administrative requirements laid out under these instruments affect the delivery of these services in practice, and how could these impacts be managed or mitigated?

**ACC Responses: We believe there will be little impact and these will be absorbed through normal workloads and working requirements.**

The Committee would be grateful if you could please provide your views in Word format by no later than **midday on Monday 2 December 2024**.

I look forward to hearing from you.

Yours sincerely,



Clare Haughey MSP

Convener, Health, Social Care and Sport Committee