SCOTTISH STATUTORY INSTRUMENTS

2026 No. 206 (C. 21)

PUBLIC HEALTH

DISPOSAL OF HUMAN REMAINS

REGISTRATION OF BIRTHS, DEATHS & MARRIAGES, ETC.

The Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 (Commencement No. 1 and Saving Provision) Regulations 2026

Made - - - -	*16th June 2026*
Laid before the Scottish Parliament	*18th June 2026*
Coming into force - -	*22nd July 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 24(2) and (3) of the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026(**a**) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 (Commencement No. 1 and Saving Provision) Regulations 2026 and come into force on 22 July 2026.

(2) In these Regulations, "the Act" means the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026.

Appointed day

2. 22 July 2026 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the schedule (the subject of which is described in the corresponding entry in column 2 of that table).

(**a**) 2026 asp 13.

Saving provision

3. Despite the coming into force of section 19(2)(a) of the Act, the amendments made by section 19(2)(a) do not apply in relation to an application made before 22 July 2026 under section 4(1) of the Certification of Death (Scotland) Act 2011(**a**).

MAREE TODD
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
16th June 2026

(**a**) 2011 asp 11.

SCHEDULE

Regulation 2

Provisions of the Act coming into force on 22 July 2026

Column 1 *Provision of the Act*	Column 2 *Subject matter*
Section 1	Meaning of "non-surgical procedure"
Section 2(3)	Regulation making power of the Scottish Ministers in relation to the offence of providing a non-surgical procedure to a person under 18
Section 4(3)	Regulation making power of the Scottish Ministers in relation to the offence of providing a non-surgical procedure outwith permitted premises
Section 5	Regulation making power of the Scottish Ministers to make further provision about non-surgical procedures
Section 14	UK internal market: regulation making power of the Scottish Ministers to establish individual assessment process
Section 15	Modifications of the 1978 Act(**a**)
Section 17	Guidance about the provision of non-surgical procedures
Section 19	Application for review of medical certificate of cause of death
Section 20	Deaths outwith the United Kingdom: authorisation of cremation or hydrolysis by medical reviewer
Section 23	Regulations subject to the affirmative procedure: consultation
Schedule 1	Specified non-surgical procedures
Schedule 2	Minor and consequential modifications of the 1978 Act

(**a**) 1978 c. 29; section 10A was inserted by the Public Services Reform (Scotland) Act 2010 (asp 8), section 108 and amended by S.S.I. 2022/88; section 10S was inserted by the Public Services Reform (Scotland) Act 2010 (asp 8), section 108 and amended by S.S.I. 2024/172; section 76 was amended by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), paragraph 1(7) of the schedule.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Bill for the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 ("the Act") received Royal Assent on 12 May 2026. Sections 16, 21, 22, 24 and 25 of the Act came into force on the following day. These Regulations commence sections 1, 2(3), 4(3), 5, 14, 15, and 17 in Part 1 of the Act, sections 19 and 20 in Part 2 of the Act, section 23 in Part 3 of the Act and schedules 1 and 2 of the Act on 22 July 2026.

Section 19 of the Act amends the Certification of Death (Scotland) Act 2011 ("the 2011 Act") to make certain death certificates eligible for review by a medical reviewer. The amendments made by section 19(2)(a) expand a medical reviewer's discretion to reject applications for review. Regulation 3 provides that the amendments made by section 19(2)(a) do not apply to an application for review under section 4(1) of the 2011 Act which has been made before 22 July 2026.

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