SCOTTISH STATUTORY INSTRUMENTS

2024 No. 281

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ETC.

The Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Amendment Regulations 2024

Made - - - - at 11.40 a.m. on 15th October 2024

Laid before the Scottish Parliamentat 3.00 p.m. on 15th October 2024

Coming into force - - 16th October 2024

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 27A(2) and (6)(a) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Amendment Regulations 2024 and come into force on 16 October 2024.

Amendment of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015

2.—(1) The Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015(**b**) are amended as follows.

(2) In regulation 4—

(a) paragraph (a) becomes paragraph (a)(i),

(b) paragraph (b)(i) becomes paragraph (a)(ii),

(c) after paragraph (a)(ii) (so formed), insert—

"(b) a certificate authorising the burial of the body given by a Coroner in accordance with regulations made in pursuance of the Coroners and Justice Act 2009(**c**); or",

(d) paragraph (b)(ii) becomes paragraph (c),

(3) In regulation 5—

(a) paragraph (a) becomes paragraph (a)(i),

(b) in paragraph (a)(i) (so formed), for "and" substitute "or",

(**a**) 1965 c. 49. Section 27A was inserted by section 25 of the Certification of Death (Scotland) Act 2011 (asp 11).
(**b**) S.S.I. 2015/166.
(**c**) 2009 c. 25.

(c) after paragraph (a)(i), insert—

"(ii) a certificate authorising the burial or cremation of the body given by the coroner in accordance with section 9 of the Coroners Act (Northern Ireland) 1959(**a**); and",

(4) In regulation 8, for "Port-Mortem" substitute "Post-Mortem".

JENNI MINTO
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
At 11.40 a.m. on 15th October 2024

(**a**) 1959 c. 15.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015. Regulation 2 makes amendments in respect of the documents required for disposal of a body in Scotland where the death occurs in England and Wales or Northern Ireland to include the coroner's authorisation for burial or cremation where the death has not been registered.

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