



BURIAL AND CREMATION (SCOTLAND) BILL

Bill Number:	SP Bill 80
Introduced on:	08 October 2015
Introduced by:	Shona Robison MSP (Government Bill)
Passed:	22 March 2016
Royal Assent:	28 April 2016

Passage of the Bill

The [Burial and Cremation \(Scotland\) Bill \[SP Bill 80\]](#) was introduced in the Parliament on 8 October 2015. Stage 1 commenced on 4 November 2015, with the Health and Sport Committee as the lead committee and the Local Government and Regeneration Committee as a secondary committee. The Stage 1 (general principles) debate took place on 11 February 2016 and the Bill was passed following the Stage 3 debate on 22 March 2016.

Purpose and objectives of the Bill

The purpose of the Bill is to provide a modern, comprehensive legislative framework for burial and cremation. Many of the Bill's provisions are based on recommendations made by various review groups, particularly the Infant Cremation Commission and the Burial and Cremation Review Group.

Provisions of the Bill

The Bill includes a range of reforms to the system of burial and cremation, including:

- ensuring that all burial authorities are subject to the Bill;
- ensuring that alternative methods of disposing of human remains are included;
- regulation of private burial and cremation;
- defining ashes;

- rules on the management of burial grounds and on burial and cremation records;
- alleviating pressure on burial grounds;
- rules on instructing the disposal of a pregnancy loss;
- creation of formal, independent inspection regime; and
- regulation of the funeral industry.

Parliamentary consideration

At both Stage 1 and Stage 2, consideration of the Bill was split between the Health and Sport Committee and the Local Government and Regeneration Committee. As lead committee, the Health and Sport Committee considered the general principles of the Bill and as well as those parts of the Bill which relate to losses during pregnancy. The Local Government and Regeneration Committee considered the remainder of the Bill.

The Health and Sport Committee outlined where the Bill needed clarification and amendment to ensure, as much as possible, that previous poor practices are never repeated. The Local Government and Regeneration Committee concluded at Stage 1 that the Bill was “lacking in ambition” with regards to an “opportunity to fundamentally change how the funeral industry operates in Scotland.” Both committees supported the general principles of the Bill.

A number of changes were made to the Bill at Stages 2 and 3 to address the concerns of both committees.