

Status: Point in time view as at 13/05/2015.

Changes to legislation: There are currently no known outstanding effects for the Certification of Death (Scotland) Act 2011, SCHEDULE 2. (See end of Document for details)

SCHEDULE 2
(introduced by section 30)

MINOR AND CONSEQUENTIAL MODIFICATIONS

Cremation Act 1902 (c. 8)

- 1 (1) The Cremation Act 1902 is amended as follows.
- (2) In section 7 (regulations as to burning)—
 - (a) the words from “and” where it fifth occurs to “place” where it second occurs are repealed,
 - (b) the words from “Each” to “prescribe” are repealed.
- (3) After section 7 insert—

“7A Forms of documentation for burning

The Scottish Ministers may make regulations prescribing the forms of notices, certificates and applications to be given or made before the burning of any human remains is permitted to take place.

7B Procedure for regulations

A statutory instrument containing regulations under section 7 or 7A is subject to annulment in pursuance of a resolution of the Scottish Parliament.”.

- (4) In section 8(1) (penalties for breach of regulations, &c), after “incur” insert “other than an offence under section 27A(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49) (offence of disposal of body without authorisation) ”.

Commencement Information

II Sch. 2 para. 1 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

Cremation Act 1952 (c. 31)

- 2 In section 2(2) of the Cremation Act 1952 (procedure for regulations made under section 7 of the Cremation Act 1902) the words from “Any” to “and” are repealed.

Commencement Information

I2 Sch. 2 para. 2 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49)

- 3 Section 21(5) of the 1965 Act (person having charge of place of interment to give notice of burial of still-born child without certificate) is repealed.

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Commencement Information

I3 Sch. 2 para. 3 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

4 In section 24 of the 1965 Act (certificate of cause of death), after subsection (1), insert—

“(1A) A registered medical practitioner may, where invited to do so under section 10(2)(b) or 11(6) of the 2011 Act (action following unsatisfactory review), attest and transmit a replacement certificate to a medical reviewer or, as the case may be, the senior medical reviewer.”.

Commencement Information

I4 Sch. 2 para. 4 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

5 Section 27(2) and (3) of the 1965 Act (transmission of certificate of registration) is repealed.

Commencement Information

I5 Sch. 2 para. 5 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

6 In section 56(1) of the 1965 Act (interpretation)—

(a) before the entry for “birth” insert—

““the 2011 Act” means the Certification of Death (Scotland) Act 2011 (asp 11);”,

(b) after the entry for “local authority” insert—

““medical reviewer” means a person appointed under paragraph 7A(1) of Schedule 5A to the National Health Service (Scotland) Act 1978 (c. 29);”,

(c) after the entry for “relative” insert—

““senior medical reviewer” means a person appointed under paragraph 7A(2) of Schedule 5A to the National Health Service (Scotland) Act 1978 (c. 29);”.

Commencement Information

I6 Sch. 2 para. 6 in force at 13.5.2015 by S.S.I. 2015/115, art. 3

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