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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 380**

**The Burial and Cremation (Scotland) Act 2016  
(Commencement No. 3, Transitional, Saving  
and Transitory Provisions) Regulations 2018**

**Closing of crematoriums: transitory and saving provision**

8.—(1) Where a cremation authority proposes to close a crematorium, the authority must, at least one month before the proposed date for closure—

- (a) give notice of the proposed closure in accordance with paragraph (2), and
- (b) notify the Scottish Ministers in writing of the proposed closure.

(2) A notice under paragraph (1)(a) must be—

- (a) published in a newspaper circulating in the area where the crematorium is situated, and
- (b) affixed to the entrance of the crematorium.

(3) When a crematorium is closed the cremation authority must send all registers and documents relating to the cremations which have been carried out at the crematorium to the Scottish Ministers or dispose of those registers and documents in a manner directed by the Scottish Ministers.

(4) Paragraphs (1) and (2) do not apply in relation to the closing of a crematorium where, before the appointed day, notice has been given by advertisement in two papers circulating in the locality and by written notice fixed at the entrance to the crematorium in accordance with regulation 1 of the 1935 Regulations.

(5) This regulation has effect until section 61 (closure of crematorium) of the Act comes into force.