SCOTTISH STATUTORY INSTRUMENTS

2019 No. 36

CREMATION

The Cremation (Scotland) Regulations 2019

Made	-	-	-	-		7th February 2019
Coming	into f	orce		-	-	4th April 2019

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 47(1), 48(2) and (4), 56(1) and (2), 57(1) and (2) and 106(1)(a) of the Burial and Cremation (Scotland) Act 2016^{M1} and section 27A(2) and (6)(a) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965^{M2} and all other powers enabling them to do so.

In accordance with section 104(4) of the Burial and Cremation (Scotland) Act 2016 they have consulted cremation authorities and such other persons as they consider appropriate.

In accordance with section 106(2) of that Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament ^{M3}.

Marginal Citations

- M1 2016 asp 20 ("the Act").
- M2 1965 c.49. Section 27A was inserted by the Certification of Death (Scotland) Act 2011 (asp 11), section 25.
- M3 The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). By virtue of that section the Regulations are subject to the affirmative procedure.

General

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Cremation (Scotland) Regulations 2019 and come into force on 4 April 2019.

(2) In these Regulations—

"the Act" means the Burial and Cremation (Scotland) Act 2016,

"adult" means a person who is 16 years of age or over,

"child" means a person (other than a still-born child) who is under 16 years of age,

"electronic communication" has the meaning given in section 15(1) (general interpretation) of the Electronic Communications Act 2000^{M4} and similar expressions are to be construed accordingly,

"joint cremation" has the meaning given in regulation 6(3), and

"shared cremation" has the meaning given in regulation 7(3).

(3) A form set out in a schedule of these Regulations may be communicated electronically.

(4) A signature required as shown on a form set out in a schedule of these Regulations must, where—

- (a) an electronic form is used or a form is an electronic communication, be-
 - (i) a signature in digital ink, or
 - (ii) an image of a signature,
- (b) a paper form is used, be a signature in ink,

and must be the signatory's handwritten signature.

Commencement Information

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I1 Reg. 1 in force at 4.4.2019, see reg. 1(1)
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Marginal Citations

M4 2000 c.7. Section 15 was amended by paragraph 158 of schedule 17 of the Communications Act 2003 (c.21).

Management and operation of crematoriums

Management of crematoriums

2.—(1) Each cremation authority must—

- (a) prepare and maintain a Crematorium Management Plan in accordance with paragraph (3) ("the Plan") in relation to each crematorium for which it is the cremation authority, and
- (b) ensure that the crematorium is managed and operated in accordance with the Plan.

(2) A cremation authority must make arrangements for the Plan to be available for inspection by—

- (a) a person appointed under section 89(1)(b) (inspectors of cremation) of the Act, and
- (b) members of the public.

(3) For the purposes of this regulation a Crematorium Management Plan is a document which is prepared and maintained by the cremation authority with responsibility for the management of the crematorium and which contains provision about the matters specified in paragraph (4).

- (4) The matters are—
 - (a) the name, address and business hours of the crematorium,
 - (b) procedures for-
 - (i) the carrying out of cremations,
 - (ii) dealing with any unexpected increase in the number of cremations,
 - (iii) the operation, and servicing, of all equipment used in the cremation process,
 - (iv) the disposal of cremation residues,
 - (v) the disposal of ashes, and

(vi) contingency arrangements for any unexpected disruption to, or loss of, services,

- (c) the review of the Plan.
- (5) The Plan must be-
 - (a) prepared within 6 months from the date these Regulations come into force, and
 - (b) reviewed at least every 12 months thereafter.
- (6) In paragraph (4)(a) "address" includes the email address (if any) of the crematorium.

Commencement Information

I2 Reg. 2 in force at 4.4.2019, see reg. 1(1)

Records

3.—(1) For each cremation it carries out each cremation authority must retain for a period of 50 years beginning with the date on which the cremation is carried out the cremation application form submitted in accordance with regulation 8 and any accompanying documentation or certificates.

(2) All documentation retained under paragraph (1) must be treated by the cremation authority as confidential.

(3) The cremation authority must ensure that all documentation retained under paragraph (1) is at all times kept in an accessible form in secure conditions and that all appropriate measures are taken to prevent theft, unauthorised disclosure, damage, loss or destruction.

Commencement Information

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I3 Reg. 3 in force at 4.4.2019, see reg. 1(1)
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Maintenance and operation of crematoriums

4.—(1) The cremation authority must, in respect of each crematorium for which it is the cremation authority, ensure—

- (a) the equipment installed at each crematorium is maintained—
 - (i) in efficient working order,
 - (ii) in good repair, and
 - (iii) in a clean and orderly condition,
- (b) staff are trained in the operation of the equipment installed at the crematorium, and
- (c) the equipment is regularly serviced.

(2) The cremation authority must prepare and maintain a written record of-

- (a) all training undertaken by staff operating at the crematorium, and
- (b) each service check carried out in accordance with paragraph (1)(c).

Commencement Information

I4 Reg. 4 in force at 4.4.2019, see reg. 1(1)

Operation of cremator

- **5.**—(1) This regulation applies where a cremation is carried out.
- (2) A cremation authority must ensure that-
 - (a) the remains of only one adult, child, still-born child or fetus are placed in the cremator, and
 - (b) at the end of the burning process the remains are raked into the cooling tray before the remains of another adult, child, still born child or fetus are placed in the cremator for cremation.
- (3) Paragraph (2)(a) does not apply to—
 - (a) a joint cremation, or
 - (b) a shared cremation.

Commencement Information

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I5 Reg. 5 in force at 4.4.2019, see reg. 1(1)
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Joint cremations

- 6.—(1) Where paragraph (2) applies a cremation authority may—
 - (a) cremate together the remains of two adults,
 - (b) cremate the remains of one adult together with one, or more than one, child, still-born child or fetus, or
 - (c) cremate together the remains of more than one child, still-born child or fetus.
- (2) This paragraph applies where, in the circumstances described in-
 - (a) paragraph (1)(a), written permission has been given by the authorised person for the cremation together of each adult,
 - (b) paragraph (1)(b), written permission has been given by the authorised person for the cremation together of the adult and each child, still-born child or fetus, or
 - (c) paragraph (1)(c), written permission has been given by the authorised person for the cremation together of each child, still-born child or fetus.
- (3) A cremation carried out in accordance with this regulation is to be known as a joint cremation.
- (4) In paragraph (2) "the authorised person" is—
 - (a) for an adult, a person who may submit an application for cremation in respect of the adult by virtue of regulation 8(2)(a),
 - (b) for a child, a person who may submit an application for cremation in respect of the child by virtue of regulation 8(2)(b),
 - (c) for a still-born child or fetus, a person who may submit an application for cremation in respect of the still-born child or fetus by virtue of regulation 8(2)(c).

Commencement Information

I6 Reg. 6 in force at 4.4.2019, see reg. 1(1)

Shared cremations

7.—(1) Where paragraph (2) applies a cremation authority may cremate together the remains of more than one fetus.

- (2) This paragraph applies where—
 - (a) an application is made under regulation 8(3)(d) in the form set out in schedule 4 for the cremation together of the remains of more than one fetus, and
 - (b) the application is made by the health body or authority which is authorised to make arrangements for the cremation of each fetus by virtue of section 77(2)(c), 79(2)(c), 80(2), 81(2) or 84(2) of the Act.

(3) A cremation carried out in accordance with this regulation is to be known as a shared cremation.

Commencement Information

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I7 Reg. 7 in force at 4.4.2019, see reg. 1(1)
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Cremation applications

Application for cremation

8.—(1) An application under section 48(1) of the Act (application for cremation) is to be made in accordance with this regulation.

- (2) An application for cremation may be submitted where-
 - (a) the deceased is an adult by—
 - (i) the person specified by the adult in an arrangements on death declaration ^{M5} made by the adult,
 - (ii) any person who may make arrangements on the death of the adult by virtue of section 65(2), 68 or 87 of the Act,
 - (iii) a person employed in the provision of, or managing the provision of, a care home service at which the deceased was living at the time of his or her death, or
 - (iv) the managers of the hospital in which the deceased died or any officer or person designated for that purpose by the managers,
 - (b) the deceased is a child, by a person who may make arrangements on the death of the child by virtue of section 66(2), 68 or 87 of the Act,
 - (c) the remains to be cremated are those of a still-born child or fetus, by the mother, or the person with authority to make arrangements in relation to the remains of that still-born child or fetus by virtue of Part 3 of the Act, or
 - (d) the body or any body part or body parts of the deceased have undergone anatomical examination, by a person licensed under section 3(2) of the Anatomy Act 1984 ^{M6}.
- (3) An application for—
 - (a) the cremation of an adult or child (other than an application made by a local authority) must be in the form set out in schedule 1 and contain the information and documents specified in sections 1 to 4 of that form,
 - (b) the cremation of a still-born child must be in the form set out in schedule 2 and contain the information and documents specified in sections 1 to 4 of that form,

- (c) the cremation of a fetus where an individual is making arrangements for the cremation of the fetus, must be in the form set out in schedule 3 and contain the information and documents specified in sections 1 to 4, of that form,
- (d) the cremation of a fetus where a person other than an individual is making arrangements for the cremation under Part 3 of the Act must be in the form set out in schedule 4 and contain the information and documents specified in section 1 of that form,
- (e) the cremation of an adult or child made by a local authority by virtue of section 87 of the Act (burial or cremation: duty of local authority) must be in the form set out in schedule 5 and contain the information and documents specified in sections 1 to 4 of that form,
- (f) the cremation of a body part or parts following a post-mortem examination (other than a post-mortem examination carried out for the purposes of the functions, or under the authority, of the procurator fiscal) must be in the form set out in schedule 6 and contain the information and documents specified in section 3 that form,
- (g) the cremation of a body, body part or body parts following anatomical examination where authority was given under—
 - (i) section 4A(1), or
 - (ii) section 4(2),

of the Anatomy Act 1984 for the person's body to be used for anatomical examination must be in the form set out in schedule 6 and contain the information and documents specified for the cremation of a whole body, in section 1 of that form or, for the cremation of a body part or body parts, in section 2 of that form,

(h) the cremation of a body part or parts following anatomical examination where the deceased died before 14th February 1988 must be in the form set out in schedule 7 and contain the information specified in section 1 of that form.

(4) In paragraph (2)(a)(iii) "care home service" means a care home service within the meaning of paragraph 2 of schedule 12 of the Public Services Reform (Scotland) Act 2010^{M7}.

(5) In paragraph (2)(a)(iv) "managers" in relation to a hospital means—

- (a) in relation to a hospital vested in the Scottish Ministers under the National Health Service (Scotland) Act 1978 ^{M8} ("the 1978 Act") the Health Board, or Special Health Board, responsible for the administration of that hospital,
- (b) in the case of a hospital vested in a National Health Service trust established under section 12A of the 1978 ^{M9} Act the directors of the trust,
- (c) in the case of an independent health care service which is registered under section 10Q(1) of the 1978 Act the person identified under section 10P(2)(b) ^{M10} of that Act in the application for registration, and
- (d) in the case of a state hospital—
 - (i) where the Scottish Ministers have delegated the management of the hospital to a Health Board, Special Health Board, National Health Service or the Common Services Agency for the Scottish Health Service, that Board, trust or agency,
 - (ii) where the management of the hospital has not been so delegated, the Scottish Ministers.

Commencement Information

I8 Reg. 8 in force at 4.4.2019, see reg. 1(1)

Marginal Citations

- M5 An "arrangements on death declaration" is defined in section 65(8) of the Burial and Cremation (Scotland) Act 2016 asp 20.
- M6 1984 c.14.
- M7 2010 asp 8.
- M8 1978 c.29.
- M9 Section 12A was inserted by the National Health Service and Community Care Act 1990 (c.19), section 31
- M10 Sections 10Q and 10P were inserted by the Public Services Reform (Scotland) Act 2010 (asp 8), section 108.

Deaths investigated by the procurator fiscal: requirements for cremation

9. Where the death of a person has been investigated by the procurator fiscal a certificate in the form of Form E1 set out in schedule 8 confirming that the remains of the deceased may be cremated is specified for the purpose of section 27A(2)(a) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 ^{M11} for the disposal of the remains of that person by cremation.

Commencement Information

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I9 Reg. 9 in force at 4.4.2019, see reg. 1(1)
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Marginal Citations

M11 1965 c.49.

Cremation following warrant to disinter

10.—(1) This regulation applies where—

- (a) a cremation authority receives an application for cremation under regulation 8, and
- (b) the person who submits the application referred to in sub-paragraph (a) informs the cremation authority that a warrant to disinter has been granted by the sheriff in respect of the remains of the deceased specified on the application form.

(2) The cremation authority may only carry out the cremation after the warrant to disinter has been received by the cremation authority.

Commencement Information

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I10 Reg. 10 in force at 4.4.2019, see reg. 1(1)
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Cremation applications: further inquiry

11. A cremation authority may make any inquiry in respect of an application made under regulation 8 and any accompanying documentation, evidence or certificates.

Commencement Information

I11 Reg. 11 in force at 4.4.2019, see reg. 1(1)

Handling of ashes

Handling of ashes: notices

12.—(1) Where, by virtue of section 52(3) (duty of cremation authority following cremation) of the Act, a funeral director has collected ashes from a cremation authority, the funeral director must as soon as reasonably practicable after collecting the ashes from the cremation authority give written notice to the applicant that the ashes are available for collection by the applicant from the funeral director.

(2) Paragraph (3) applies where, by virtue of section 54(5) (power of funeral director in relation to ashes) of the Act, a funeral director returns ashes to a cremation authority.

(3) For the purpose of section 55(2) (duties of cremation authority where ashes returned) of the Act the cremation authority must as soon as reasonably practicable after the ashes are returned to the cremation authority by the funeral director give written notice to the applicant to ascertain whether the applicant wishes—

- (a) the ashes to be retained by the cremation authority during the specified period and made available for collection during that period by the applicant, or
- (b) the ashes to be disposed of by the cremation authority in the specified manner.
- (4) In this regulation—
 - "applicant" has the meaning given by section 52(5) of the Act,
 - "specified" has the meaning given by section 51(4) of the Act ^{M12}.
- (5) In this regulation reference to a written notice includes an electronic communication.

Commencement Information

I12 Reg. 12 in force at 4.4.2019, see reg. 1(1)

Marginal Citations

M12 Regulation 13(4) makes provision for the specified period for the purpose of section 55(2)(a) and (3) of the Act. Regulation 14 makes provision for the specified manner of disposal of ashes for the purpose of section 55 (and sections 51 and 53) of the Act.

Handling of ashes: time periods for collection of ashes (specified period)

13.—(1) For the purposes of sections 51(3)(a) and (b) (duty of cremation authority before carrying out cremation) and 52(2) and (3) (duty of cremation authority following cremation) of the Act the specified period during which ashes are to be retained by the cremation authority and made available for collection is 4 weeks beginning with the day after the day on which the cremation took place.

(2) For the purposes of section 53(2)(a) and (b) (failure to collect ashes) of the Act the further period is 4 weeks beginning with the day after the end of the specified period mentioned in paragraph (1).

(3) For the purposes of section 54(1)(b) (power of funeral director in relation to ashes) of the Act the specified period for the applicant to collect the ashes from the funeral director is 4 weeks beginning with the day written notice is given to the applicant by the funeral director under regulation 12(1).

(4) For the purposes of section 55(2)(a) and (3) (duties of cremation authority where ashes returned) of the Act the specified period during which ashes are to be retained by the cremation

authority and made available for collection is 4 weeks beginning with the day written notice is given to the applicant by the cremation authority under regulation 12(3).

(5) In this regulation "applicant" has the meaning given by section 52(5) of the Act.

Modifications etc. (not altering text)

- C1 Reg. 13(2)(3)(4): power to suspend conferred (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), Sch. 14 para. 9 (with ss. 88-90) (which affecting provision expires (25.3.2022) by virtue of Coronavirus Act 2020 (c. 7), s. 89 (with s. 90))
- C2 Reg. 13(2)(3)(4) expiry of earlier affecting provision 2020 c. 7, Sch. 14 (25.3.2022) by Coronavirus Act 2020 (c. 7), s. 89 (with s. 90)

Commencement Information

I13 Reg. 13 in force at 4.4.2019, see reg. 1(1)

Disposal of ashes by cremation authority (specified manner)

14. For the purposes of section 51(3)(c) (disposal of ashes by cremation authority), 53(6)(b) (failure to collect ashes) and 55(2)(b), (4) and (5)(b) (duties of cremation authorities where ashes returned) of the Act the specified manner for the disposal of ashes by the cremation authority is the burial or scattering of the ashes by the cremation authority.

Commencement Information

I14 Reg. 14 in force at 4.4.2019, see reg. 1(1)

Cremation register

Cremation register

15.—(1) For the purpose of section 57(1) of the Act a cremation register must—

- (a) for the cremation of an adult or child, be in the form set out in schedule 9 and contain the information specified in that form,
- (b) for the cremation of a body part, or body parts, be in the form set out in schedule 10 and contain the information specified in that form, and
- (c) for the cremation of a fetus or still-born child, be in the form set out in schedule 11 and contain the information specified in that form.

(2) The information in respect of each cremation must be entered on the register as soon as practicable after the cremation.

(3) The cremation authority must—

- (a) review each register from time to time, and
- (b) ensure that the information in each register is accurate and up to date.

Commencement Information

I15 Reg. 15 in force at 4.4.2019, see reg. 1(1)

St Andrew's House, Edinburgh *JOE FITZPATRICK* Authorised to sign by the Scottish Ministers

SCHEDULE 1

Regulation 8(3)(a)

APPLICATION FORM FOR THE CREMATION OF ADULT OR CHILD

Commencement Information I16 Sch. 1 in force at 4.4.2019, see reg. 1(1)

Cremation number: Form A1: Application for cremation of an adult or a child Crematorium/cremation authority Time of cremation Date of cremation

NAME OF DECEASED

This form must be used to apply for the cremation of an adult or a child. This is a requirement of the Cremation (Scotland) Regulations 2019, must under section 48 of the Burial and Cremation (Scotland). Act 2016. An adult is someone who is 16 years old or older at the time of death. A child is someone under 16 at the time of death.

The application is made to the cremation authority you want to carry out the cremation. The cremation authority is the organisation responsible for running the crematorium where the cremation is to take place.

remator no to take piace. The corranation and/or will need to check the form to make sure it contains all of the necessary formation. Missing information or information that is not accurate may result in the cernation ting delayed or refract. If this form has not been completed correctly or is incomplete, the remation authority will contact you to complete the form before the cremation can take place.

As the person who is applying for the cremation, you are 'the applicant'. You must have the legal right to apply for the cremation (see guidance notes at the end of this form).

If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should epoch to the financial directive who is making the arrangements, sulf at the commonitors, or one you of the process who's intranging the financial according to the You do not have to use the services of a finencial director to arrange a coremation but where one is being used the financial director must again the relevant part of section 4 of this form.

Guidance notes are provided at the end of this form. Change of crematorium

The information provided on this form is a legal requirement under the Burial and Cremation (Scotland) Act 2016 and will be processed in line with Data Protection legislation. The data will confidence and processed solely for the purpose of carrying out the cremation and the handling of abase. It will not be shared with any thing purp, 'No nave the fraging how have a least abased of the shared with any thing purp, 'No have the fraging how have a least abased and processed solely in the cremation automotiy in writing, receive a copy of that about you and you can, by contacting the cremation automotive just writing, receive a copy of that data. The cremation automotive just beging to include in the privacy notice bow the information will be held, for how long and how you may make a compliant to the Information Commissioner's Office.

Forms checklist

You should ensure that you have attached any necessary documents to this application form. The cremation authority needs to have them in order for the cremation to take place (please tick as appropriate). Death in Scotland

Form 14 – Certificate of Registration of Death.

Form E1 (if procurator fiscal has been involved and has released the remains for cremation) (see section 2).

Death in England or Wales

Certificate of Registration (England and Wales certificate authorising burial or cremation).

Form 4 (The Medical Certificate) and Form 5 (Confirmatory Medical Certificate) to be completed by a doctor in England OR a Form 6 (Certificate of Coroner). Form 103 (Permission to move out of England or Wales Form) is required from the coroner.

Death in Northern Ireland

Belfast Crematorium Form B (The Medical Certificate) and Form C (which verifies the information in Form B) are required, to be completed by a doctor in Northern Ireland OR a Form 20a (Coroner's Authority for Cremation).

- Form 18 (Coroner's Certificate for Removal of a Body out of Northern Ireland) provided by
- coroner.
 Belfast City Council Form, providing information on whether a hazardous implant is present and whether it has been removed. This must be completed by the doctor who completes Form B or by the coroner.
- Certificate of Registration of Death (Form 14) equivalent and authorisation to remove the body.
- Death abroad

- Healthcare Improvement Scotland (HIS) authorisation form.
- realizate improvement scotant (rits) autorisation (riti)
 relation of the scotant (rits) autorisation (riti)
 please note: HIS require all paperwork which is returned with the deceased, this may
 include a police post mortem report, police reports, embalming certificate, death registration
 documents and shipping documents).

Section 1: Your information ('the applicant')	
This section is used to record your details. By completing this form you are the applicant for cremation. If you are completing the form on behalf of a care facility or health body or organisation please use the business address and contact details. Please see Note 1 of the gu notes for who can apply.	or the
Applicants MUST be 16 years of age or older on the date the deceased died to apply for cremation. Applicants may be under the age of 16 if they are the parent of the child who has however, you may wish to seek the support of a parent or guardian if you feel it would be he	is died, elpful.
Title First name	
Sumame	
Address	
Post code	
Telephone	
Email address	
Email address	
Relationship to deceased adult	
This question is only to be completed for a child who has died (Please tick the relevant	box
below)	
• I am the parent of the child who has died	
• I am authorised to make the application in respect of the child who has died	
What is your relationship to the child (if you are not the parent)?	
Section 2: Information about the adult or child who has died	
Details of the adult / child who has died	
Title Sex (please delete as applicable) Male/Female	
First name(s) (including any middle names)	
Sumane	
Name as shown on coffin plate (if applicable)	
Date of birth Age (at death)	
Address	
Post code	
Date on which they died (or were found dead) (DD/MM/YYYY)	
Place of death	
Place of death	
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Is there radio currently pre-

active material or any ent in or on the body?

us implant

If you answered 'yes' to the q please give details and state v	uestions about a cardiac pacemaker and/ hether the device has been removed.	or radioactive material,
Section 4: Declaration		
	eclare that the information you have prov ue, and that you are entitled to apply for e false information and if you do so yo	rided in sections 1 to 3 is, to this cremation. It is an u may be liable to a fine of
You must declare that you un ashes following the crematior	derstand the choice you have made about	t what is to happen to the
Applicant's declaration		
declare that I have the legal nformation I have provided i with the ashes have been expl	right to apply for this cremation. To the s true and accurate. I confirm that the op ained to me and that I fully understand th	best of my knowledge, the ptions for what can happen te option that I have chosen.
Signature of applicant		
Date (DD/MM/YYYY)		
Combined weight of the coffi (complete if no funeral direct	or involved)	
I declare that I have discussed cremation cannot take place. cremation should be delayed	pleted by the funeral director if service the options with the applicant and know I understand that if I become aware of an between the paperwork being completed ation authority and the applicant.	no reason why the
Name of funeral director's rep	presentative	
Company name and address of	f fineral director	
company name and address of	a fanciar director	
Post code		
Combined weight of the coffi	n and deceased	
Signature of funeral director'	representative	
Date (DD/MM/YYYY)		
information you can discuss y for ashes at your chosen crem authorities may offer to split I	the box and then initial beside the opti natorium. Please see Note 5 in the guida vith the funeral director or cremation auti atorium or visit the crematorium's websis he ashes but you should confirm with the how the ashes are to be split to the Speci	hority the options available te. Some cremation em first if they are able to do
	sed in order to fully recover ashes, but of Cremation will investigate the reas	in the event that ashes are
The term "ashes" means the reduced by cremation inclu- crematorium to help reduce th own practices. Should you w	of Cremation will investigate the reases material (other than any metal) to while the coffin and any clothing. Metal he impact on the environment. Each cremation to dispose of the metals in any other vill be returned to you within the cremated	tich human remains are ls may be recycled by the natorium will have their way then please indicate by
them - 🔲 (please see Note 5	of the guidance notes for further inform ive will collect the ashes from the	ation).
crematorium.		
cremation.	nes must be collected from the crematoria	am within 4 weeks of the
	eace when the takes are concered.	
(Name of representative)
cremation to collect th I understand that the asl	ies must be collected from the funeral	Initials
director within 4 weeks	of them being made available. eded when the ashes are collected.	
C. I instruct the crema their usual method.	torium to disperse the ashes using	Initials
	matorium may offer only burial or only ten the ashes are buried or scattered (i	
If you would like to be	present, please contact the crematoria	um to arrange a date. 🗌
D. I would like the ash deceased person.	es to be scattered/buried in the same le	ocation as a previously
Name of deceased		_
Date of death	must be in a location agreed with the c	remation authority):
special Instructions		
special Instructions		
(e.g. splitting ashes, no cremu		
	lation, what you want done with any met	tal remaining after
	lation, what you want done with any met	
Section 6: Authorisation for	cremation (to be completed by the cre	mation authority)
Section 6: Authorisation for This section is used by the cre the cremation can take place (Confirm that I have re page 2 of this form) to	cremation (to be completed by the cre mation authority to confirm that the appl please tick). ceived the necessary documentation (as allow the cremation to take place. If any	mation authority) lication is in order and that outlined in the checklist on
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Date (DD/MM/YYYY)					-			
Name of crematorium staff	member							
Signature of crematorium s	taff member							
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 Cousin; Niece or nephew; or Friend of long standing 								
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5. Note 5

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at the options is detailed here

ntative will collect the ashes from the crea A. I or my repr

collecting the ashes must bring identification with them. If you d be crematorium within **4 weeks** of the cremation taking place, the ntact you to find out what you want done with the ashes. At this that you still intend to collect the ashes and must agree a new co truct the cremation authority to bury or scatter the ashes (if they t second or do not tell the cremation authority what you instruction cremation authority to bury or scatter the on tell the cremation authority what or bury the ashes according to their stand uries the ashes this will be recorded in its

al director who arranged the fun eral to (lect the a

date. You may also instru-to collect or so that the ci ashes (if they uried by the c

ion authority to bury or scatter the ashes (v

ation authority will bury or scatter the ashes. This is usually done in in nec, although each crematorium will have a different procedure. The will be able to tell you which options it offers and will record what is to cremation register.

D. I instruct the cremation authority to bury or scatter the ashes in the another person.

The cremation authority may be able to do this. You will need to tell them the name of the deceased, the date of their cremation and where their ashes were buried or scattered.

Sensitive disposal of metals-

Crematoriums often arrange for metal wh recovered and sensitively recycled. Metal of the coffin (e.g. pins and staples) and so plates). Any proceeds received following nts (e.g. hip joints, pins ibuted to charity. The will need your permiss netal recovered follow If you ution which is the reduction of bones into ashes is carried out in most g cremation, unless the cremation authority is instructed not to. You r on the application form.

- tions are received in the timescales in section 5, the cremation authority has dispose of ashes by the procedure set out in sections 51 56 of the Burial and Scotland) Act 2016.
- Note 6
- The cremation authority is required to verify that the information contained in this form is correct before the cremation can proceed. The signatory should sign the form when they approve the cremation.

SCHEDULE 2

Regulation 8(3)(b)

APPLICATION FORM FOR THE CREMATION OF A STILLBORN BABY

Commencement Information

Sch. 2 in force at 4.4.2019, see reg. 1(1) I17

	Cremation number:
orm A2: Application for cremation	n of a stillborn baby
	Time of cremation

BABY'S NAME (if given)

This form must be used to apply for the cremation of a stillborn baby. This is a require Cremation (Scotland) Regulations 2019, made under section 48 of the Burial and Cren (Scotland Ac 210) As stillborn baby is a buby delivered affer 24 weeks postation with showing any dgms of life. The applications insude to the cremation authority you want to carry out the cremation method authority is the organization responsible for running the cremationium where coreandon authority is the organization responsible for running the cremation was coreandon in the date. The cremation hardrory will reach the farm to make core and the state of the cremation being delayed or refrance.

As the person who is applying for the cremation, you are 'the applicant'. You must have the legal right to apply for the cremation (see guidance notes at the end of this form).

If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should speak to the funeral director who is making the arrangements, staff at the crematorium, or to any other person who is arranging the funeral.

You do not have to use the services of a functional directive to arrange a cremition but where one is being used the funeral director to aloud sign the relevant part of section 4 of this form. If this form has no these completes clorectly or is incomplete, the cremitant monitory will contact the applicant to complete the form before the cremation can take place. Guidance notes are provided at the end of this form.

Change of crematorium

If it is necessary to change the crematorium for any reason a new Form A2 should be completed.

Forms checklist

You should ensure that you have attached any necessary documents to this application form. The cremation authority will need to have them to allow the cremation to take place (please tick as appropriate).

Required

Certificate of registration of stillbirth.

Form E1 (if Procurator Fiscal has been involved and has released the remains for cremation) (see Note 2 of the guidance notes).

- encourse (MNS). Personal details of individuals contained in this form are not to be used for any other purpose.

purpose. The information provided on this form is a legal requirement under the Burial and Cernation Scotland). Act 2016 and will be processed in line with Data Protection legislation. The data beneficient to the second second

Section 1: Your information ('the applicant')

This section is used to record your details. In completing this form you are the appl cremation. If you are completing the form on behalf of a health body or organisatio the business address and contact details. Please see Note 1 of the guidance notes for arrow crema the bu apply

Applicants MUST be 16 years of age or older to apply for a cremation. Applicants may be under the age of 16 if they are the parent of the baby who was stillborn, however, you may

wish to seek the support of a parent or guardian if you feel it would be neipful.
Title
First name

Address	
Post code	
Telephone	
Email address	
Section 2: Application for the cremation of a st	illborn baby
This section is used to record the details of a stillb	orn baby (please tick only one option below).
I am the parent of the baby who was stillborn	(please complete sections 2a and 2c)
I have been authorised to make the application	(please complete sections 2a, 2b and 2c)
What is your relationship to the baby (if you are n	ot the parent)?

Details of the stillborn baby	
ïrst Name(s) (if given)	
Sumanie	
	٦.

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

Date when baby was delivered (DD/MM/YYYY)	Sex of baby (delete as Male / Female	appropriate)
Section 2b		
Name of the baby's mother Name	of baby's father/parent	
Address of the baby's mother		
Post code		
Section 2c		
If the Procurator Fiscal (PF) has investigated the stillbirth, the PF has given approval. More information about the in provided at Note 2 in the guidance notes of this form (plea	volvement of the procur	ator fiscal is
Has the death been investigated by the procurator fiscal?	Yes	No 🗌
If yes, has the cremation been approved by the procurator	fiscal? Yes	No 🗌
Form E1 has been provided by the procurator fiscal	Yes	No 🗌
The presence of some hazards may delay or prevent cr doubt about this, you must discuss it with the funeral direc Are you aware if any of the following apply:	tor or crematorium staff	If you are in an f. No
Does the body of the baby pose a risk to public health: for example did the mother have a notifiable infectious diseas was she contaminated immediately before delivery?	e or	
Is there a cardiac pacemaker or any other potentially explo device currently present in or on the body of the baby? (se guidance notes for examples)		
Is there radioactive material or any other hazardous implan currently present in or on the body of the baby?	nt	
If you answered 'yes' to the questions about a cardiac pace please give details and state whether the device has been re		ve material,
Section 4: Declaration		
This section requires you to declare that the information y the best of your knowledge, true, and that you are entitled offence to knowingly provide false information and if y up to Level 3 on conviction.	to apply for this cremati	ion. It is an
You must declare that you understand the choice you have ashes following the cremation.	made about what is to l	happen to the
Applicant's declaration		

I declare that I have the legal right to apply for this cremation. To the best of my knowledge, the information I have provided is true and accurate. I confirm that the options for what can happen with the ashes have been explained to me and that I understand the option that I have chosen. Signature of applicant

Date (DD/MM/YYYY)		_
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Funeral Director (to be completed by the funeral director if services are used) Idecise that have discussed the options with the applicant and know to mass why the commonion cannot take place. Linkerstand that if I become arease of appling which may mean the commonion should be delayed between the papersorb being completed and the cremation taking place, limits inform the commands matching and the applicant. Name of funeral director's representative

Company name and address of funeral director
Post code
Signature of funeral director's representative
Date (DD/MM/YYYY)
Section 5: Disposal of ashes
This section is used to record what is to happen to the able after creation. You must choose only one option. Presets (ich holo sand the initial beside the uppion) such are chosen. Options will vary at each creativation. Presse we block of the guidance noise. Presse discuss contrasting the creation of the creativation of the creativation of the creativation of the creativation of the creativation of the creativation of the creativation of the creativation full investigate the reasons.
The term "subset" means the material cobter than any metal) to which human remains are reduced by cremation including the cohering and any other. Metals may be recycled by the crematorium to help reduce the impact on the environment. Each crematorium will have their own practices. Should you wish to dispose the metals in any other way then please indicate by ticking the box and metals will be returned to you within the cremator formation or separately from then $$] please are over 5 of the guidance notes for further information).
A. I or my representative will collect the ashes from the Initials
crematorium. I understand that the ashes must be collected from the crematorium within 4 weeks of the
cremation. Identification will be needed when the ashes are collected. (Name of representative)
B. I authorise the funeral director who arranged the Initials
cremation to collect the ashes on my behalf.
I understand that the ashes must be collected from the funeral director within 4 weeks of them being made available. Identification will be needed when the ashes are collected.
C. I instruct the crematorium to disperse the ashes using Initials I understand that the crematorium may offer only burial or only scattering. I I wish to be present when the ashes are barried or scattered (if this is possible). I If you would like to be present, please contact the crematorium to arrange a date I
D. I would like the ashes to be scattered/buried in the same location as a previously deceased person
Name of deceased
Date of death
Please state location below (must be in a location agreed with the cremation authority):
Special Instructions
(e.g. no cremulation; what you want done with any metal remaining after cremation)
Section 6: Authorisation for cremation (to be completed by the cremation authority) This section is used by the crematorium to confirm that the application is in order and that the cremation can take place. I confirm that have received the appropriate documentation (as outlined in the elecklist on page 1 of this form) to allow the cremation to take place (If a document is still missing, please contact the applicant or their functional director).
I confirm that all relevant sections of this form have been completed.
I confirm that I approve this application for cremation.
Date (DD/MM/YYYY)
Name of crematorium staff
Signature of crematorium staff

Position

Guidance Notes:

1. Note 1

- vise 1 A stillborn haby is a baby who was delivered after 24 weeks gestation without showing any signs off afe. The nearest relative is entitled to make the arrangements. The nearest relative must be 16 years or over unless they are the parent of the baby. The hierarchy below sets out the nearest relative who is entitled to make the arrangements (section 37 def 2016 Act). Where the nearest relative in the hierarchy is unable to make the arrangements for any reason, the application can be smale by the next reasor takine (sing behavior takine) is denoted.
- Parent; Brother or sister;

or negrow. set relative may not authorise any other person to make arrangements but may the appropriate health body to make the arrangements. The appropriate health ither the Health Board or the independent health care service that is providing care ther at the time of the stillbirth. authorise body is ei to the m

2. Note 2

Procurator Fiscal

Proteinsor Field all deaths which are sudden, suspicious, susciplained or unexpected are reported to the all deaths which death are sudden, suspicious, susciplained or unexpected are reported to the off-death. Within the Crown Office and Procumor Fiscal Service (COPPS), the Scottish Falailies Investigation Unit (FII)) is a specialized intersection of the susception of the deaths. The SPIU will decide whether further investigation is required. Information is available on the COPIS "socialized interflows coefficies and disconsigning deather on belie-investigating theory of the subscription of the subscription of the subscription of the investigating theory of the subscription of the subscription of the investigating the subscription of the investigating theory of the subscription of the subscription of the subscription of the investigating theory of the subscription of the subscription of the investigating the subscription of the investigating theory of the subscription of the subscription of the subscription of the investigating theory of the subscription of the subscription of the subscription of the investigating theory of the subscription of the subscription of the investigation of th

Form E1 is issued by the SFIU when the cremation has been approved and may be sent directly to the crematorium. It must be received by the crematorium before the cremation is due to take place.

3. Note 3

zards

Examples include: pacemaker; cardiac implant; drug pump; neuro-stimulator; shunt; battery powered implant; Fixion nails used in treatment of bone fractures. Please discuss with the funeral director or cremation authority if you are unsure.

- Notifiable diseases are listed in Schedule 1 of the Public Health etc. (Scotland) Act 2008
 http://www.legislation.gov.uk/asp/2008/5/schedule/1.
 Scotland Schedule/1.
- iii Some injections for cancer treatment contain radioactive material which may mean that the cremation has to be delayed for a short period.

4. Note 4

Declaration

The applicant is required to declare that they are entitled to apply for the cremation in terms of the Burial and Cremation (Scotland) Act 2016.

The funeral director is required to complete the second part of section 4. ii.

5. Note 5

Not all cremation authorities offer the same services – for example, some will scatter awhes while others will inter or bury them. If you are in any doubt about the options smallable to you, you should discuss them with the creation authority to with the futured latercor who is arranging the futureal. This will ensure that it is possible for the creation authority to earry out you instructions. Once the creation authority tase accepted this application form, it must follow your instructions for what is to be done with the abes. Further information about the options at section 5 are detailed here:

A. I or my representative will collect the ashes from the cremat

A. I or my representative will collect the axies from the crematorium. The person collection the assets must bright identification with them. If you do not collect the axies from the crematorium within 4 veeks of the cremation taking place, the cremation abindrivy will typ country you find not what you want done with the axies. At this time you may inform them that you still interd to collect the axies and must agree a new collection dist.² Nor may also instruct the cremation authority what your instructions are the cremation authority may exatter by the axies. Active the axies of they offer this service). If you do not respond or do not tell the cremation authority what your instructions are the cremation authority may exatter by the axies according to their standard procedures. If the cremation authority scatters or buries the ashes this will be recorded in a terminous register.

B. I authorise the funeral director who arranged the funeral to collect the ashes on my behalf.

Version Toy you do not collect the asbes from the funeral director within 4 works of them being made available, the funeral director will try to contact you to find out what your instructions are for the asbes. At they point, you may inform the funeral director that you still intend to collect the asbes and must agree a new collection data. You may also instruct the funeral director truth the abset to the crematorium to that you can collect them there or so that the cremation authority may scatter or bury them.

can concer them there or so in an the cremation animory may scatter of noty mem. If you do not respond or do not inform the fibernal director why your instructions are, the functal director may return the abels to the crematorium. The cremation anthority will by to contact you to find out what you want done with the absc. At this time you may inform them that you still intend to collect the ashes and must agree a new collection date. You yay also instruct the cremation and/not buy you starter the absc (if they offer this service). If you do not collect the ashes, they may then be scattered or buried by the cremation anthority.

C. I instruct the cremation authority to bury or scatter the ashes (whichever option is offered).

The cremation authority will bury or scatter the askes. This is usually done in the Garden of Remembrance, although each crematorium will have a different procedure. The cremation authority will be able to tell you which options it offers and will record what is done with the absets in the cremation register.

D. I instruct the cremation authority to bury or scatter the ashes in the same location as another person.

The cremation authority may be able to do this. You will need to tell them the name of the deceased, the date of their cremation and where their ashes were buried or scattered. Sensitive disposal of metals-

Crematoriums often arrange for metal which survives the cremation process to be recovered and sensitively recycled. Metals are made up of items used in the construction of the coffs (e.g. pins) and stagets and some surgical integratives. Eq. (b) pixels, have integrated and the sense of the sense of the sense of the sense of the sense needy sour permission to recycle and should clearly state their policy in terms of any metal everyotef following centation, they source all between the sense that are returned to you. The correction process will meder the majority of jevellary unrecognisable and ideally should be removed before creation.

Cremulation which is the reduction of bones into ashes is carried out in most cases following cremation, unless the cremation authority is instructed not to. You must make this clear on the application form.

If no instructions are received in the timescales in section 5, the cremation authority has the right to dispose of askes by the procedure set out in sections 51 – 56 of the Burial and Cremation (Scotland) Act 2016.

6. Note 6

- The cremation authority is required to verify that the information contained in this form is correct and that the cremation can proceed.
- ii. The signatory should sign the form when they approve the cremation.

SCHEDULE 3

Regulation 8(3)(c)

APPLICATION FORM FOR THE CREMATION OF A PREGNANCY LOSS ON OR BEFORE 24 WEEKS

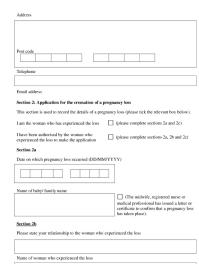
	nt Information force at 4.4.2019, see reg	g. 1(1)	
	Cremation number:		
Form A3: Application for cremation followin	g a pregnancy loss		
Crematorium/cremation authority	Time of cremation		
	Date of cremation		
BABY'S NAME (if given)			
or before the end of the 24th wice's of gestation of the Cermanics (Schulm) Regulations 301 (Scdulard) Act 2016. This application form: an her behalf or if do is smaller to due to eac the application is smaller to the eremation and the endpoint of the second strength and the endpoint of the second strength and may result in the cremation being delayed or the application is generative to the second may result in the cremation being delayed or As the person who is applying for the cremating that the application of the cremation being the strength on apply for the cremation being the applica- tion of the cremation being the second strength of the strength on apply the the cremating the array results in the cremation being the application of the second to the function of the size that the second strength of the second acquirement to use the nerives of a finemal director should sign the relevant parts of this form.	man authories's another person to complete the form findeal activativatives, ority you want to carry out the creamizion. The theory wall need to check the form to make use it may be a set of the set		
	r any reason a new Form A3 should be completed.		
	necessary documents to this application form. The allow the cremation to take place (please tick as		
Required			
Medical certificate of pregnancy loss OR			
Health Authority/medical practitioner co	firmation that the pregnancy has ended.		
Optional			
Form E1 (if Procurator Fiscal has been in (see Note 2 of the guidance notes).	volved and has released the remains for cremation)		
Personal details of individuals contained in purpose.	this form are not to be used for any other		
(Scotland) Act 2016 and will be processed in be held by the cremation authority that is carr confidence and processed solely for the purp ashes. It will not be shared with any third part about you and you can, by contacting the crem data. The cremation authority is obliged to in	al requirement under the Burial and Cremation line with Data Protection legislation. The data will one of carrying out the cremation and the handling of so of carrying out the cremation and the handling of auton autoority in writing, necesiva a copy of that lude in their privacy notice how the information will a compliant to the information or will		

Section 1: Your information ('the applicant')

This section is used to record your details. In completing this form you are the applicant for the cremation. Please see Note 1 of the guidance notes for who can apply. Applement NUST be 16 years of age or older to apply for a cremation. Applicants trust may be under the age of 16 if they are the woman who experienced the loss, however, you may wish to see the support of a parent or grantatini If you fet it would be helpful.

Title
First name
Sumame

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)



Address of woman who experienced the loss

ost code				

Sect ion 2c

If the Procurator Fiscal (PF) has investigated the pregnancy loss, the cremation cannot take place until the PF has given approval. More information about the involvement of the procurator fiscal is provided at Note 2 in the guidance notes (please tick boxes below as applicable). Is province a role 2 in the guidance noise (please tick looks below as appreciate).
Has the pregnancy loss been investigated by the procurator fiscal?
Yes No
Form E1 has been provided by the procurator fiscal
Yes No Form E1 has been provided by the procurator fiscal

Section 3: Hazards This section is used to receive details of anything which might be a hazard during oremation – for cample, the present opticaliar discuss. The presence of some hazards may delay or prevent creation taking place. If you are in any doubt about this, you must discuss it with a fineral director or commonium staff. Are you aware if any of the following apply:

	Yes	No
Is there a risk to public health: for example did the woman have a notifiable infectious disease or was she contaminated immediately before delivery?		
Is there a cardiac pacemaker or any other potentially explosive device currently present? (see the guidance notes for examples)		
Is there radioactive material or other hazardous implant currently present?		

If you answered 'yes' to the questions about a cardiac pacemake please give details and state whether the device was removed. and/or radioactive material.



Section 4: Declaration
This section requires you to declare that the information you have provided is, to the best of your knowledge, true, and that you are entitled to apply for this cremation. It is an offence to knowingly provide fabe information and if you do you may be liable to a fine of up to Level 3 on conviction.
You must declare that you understand the choices you have made about what is to happen to the ashes following the cremation.
Applicant's declaration J declare that have the legal right to apply for this cremation. To the best of my knowledge, the information I have provided is mere and accurate. I confirm that the various options for what is to happen to the ashes have been explained to me and that I understand the option that I have chosen.
Signature of applicant
Date (DD/MM/YYYY)
Funeral Director (to be completed by the funeral director) (if services are used)
I declare that I have discussed the options with the applicant and know no reason why the cremation cannot take place. I understand that if I become aware of any issues as to why the cremation might not take place between the paperwork being completed and the cremation taking place, I must inform the cremation authority and the applicant.
Name of funeral director's representative
Company name of funeral director
Address of funeral director
Pest code
Signature of funeral director's representative
Date (DD/MM/YYYY)
Section 5: Disposal of ashes
This section is used to rescore dwal is to largers to the cabes after cremanion. You must choose only one optimes likely the sum of them initial back the optimizer parts chooses. Optims will vary at each crematorium. Pense see Note 5 of the guidance notes. Hence discuss with the functional director the options valiable for absets your chooser cremanotium or visit the cremanical director the options valiable for absets your chooser crematorium va- sistes, but in the event that absets are not recovered, the Inspector of Cremation will investigate the reasons. The term "subset" means the material (other than any metal) to which human remains are reduced by crematorian including the offic and any defating. Metals may be neycled by the comparison. Should you wish to dispose of the math in my other way then pleses indicate by taking the box and metals will be returned to you within the cremated remains or separately from them — (plesse colors of the optime nets for first first from the option.
A. I or my representative will collect the ashes from the Initials crematorium.
Indextand that the aches must be collected from the crematorium within 4 weeks of the cremation. Mentification will be needed when the aches are collected.
(Name of representative
I understand that the ashes must be collected from the funeral director within 4 weeks of them being made available.
Identification will be needed when the ashes are collected. C. I instruct the crematorium to disperse the ashes using their usual method.
I understand that the crematorium may offer only burial or only scattering.
I wish to be present when the ashes are buried or scattered (if this is possible)
If you would like to be present, please contact the crematorium to arrange a date 🗌

	D. I would like the ashes to be scattered/buried in the same location as a previously deceased person
--	---

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

Date of death Please state b	ocation below (must be in a location agreed with the cremation authority)
Special Instru	uctions
(e.g. no cremu	lation; what you want done with any metal remaining after cremation)
ction 6: Authoris	sation for cremation (to be completed by the cremation authority)
is section is used mation can take	by the crematorium to confirm that the application is in order and that the place.
page 1 of this	I have seen the appropriate documentation (as outlined in the checklist on form) to allow the cremation to take place (If a document is still missing, the applicant or their funeral director).
] I confirm that	all relevant sections of Form A3 have been completed.
] I confirm that	I approve this application for cremation.
te (DD/MM/YY)	
me of crematoriu	m staff
mature of cremat	arium staff

Position	

Guidance Notes: 1. Note 1

ame of decea

- i. The applicant is the woman who experienced the pregnancy loss or anyone else the woman has nominated to make the arrangements on the behalf (section 79 of the 2016 Act). In Three is moreally a low-rage limit of 16 years of the or eligible to apply for a cremation. If the woman who experienced the loss is the applicant and under 16 years this limit does not apply.
- 2. Note 2

Procentor Fiscal All deaths which are sudden, suspicious, unexplained or unexpected are reported to the Procurator Fiscal who may instruct the police to investigate the circumstances of the death. Investigation Unit (SHU) is a specialist unit responsible for investigating these deaths. The 2017 will decide whether further investigating in required. Information is available on the COPPS website: http://www.copfs.gov.uk/nwstigating-deaths/var-role-in-investigating-deaths.

Form E1 is issued by the SFIU when the cremation has been approved and may be sent directly to the crematorium. It must be received by the crematorium before the cremation is due to take place.

- 3. Note 3
- i.

Hazards Examples include pacemaker; cardiac implant; drug pung; neuro-stimulator; shunt; battery powered implant. Fluxon nals used in restances of bose factures. Please discuss with the function of the standard standard standard standards and the standard standard standards and the Midfable discuss are listed in Schedule 1 of the Public Health etc. (Scotland) Act 2008.

- ü.
- iii. Some injections for cancer treatment contain radioactive material which may mean that the cremation has to be delayed for a short period.
- 4. Note 4
- i.
- The applicant is required to declare that they are entitled to apply for the cremation in terms of the Burial and Cremation (Scotland) Act 2016.
- The funeral director is required to complete the second part of section 4. ii.
- 5. Note 5

i

Not all contain authorities offer the same services – for example, once will exite relatively to the service of the service of the service statistics of the service statistic

Further information about the options at section 3 are detailed here

A. I or my representative will collect the ashes from the crematorium. The person collecting the ashes must bring identification with them. If you do not coll the ashes from the crematorium within the vesks of the crematorium lang place, the cre-andhority will try to contact you to find out what you want does with the ashes. At the identification of the crematorial model is a straight the straight provide the eldectoin date. You may also instruct the cremation andhority is buy to exate the as-they offer this service). If you do not respond or do not tell the cremation andhority way urrestrations are the cremation andhority may catter or hyse the ashes according their standard procediers. If the crematorial andhority was catter or hyse the ashes according the straight of the straight of the crematorial andhority starters or buries the ashes this we recorded in its cremation register.

B. I authorise the funeral director who arranged the funeral to collect the ashes on my behalf.

If you do not collect the ashes from the funeral director within 4 weeks of then available, the funeral director will try to contact you to find out what your instat for the ashes. At that point, you may inform the funeral director that you still i collect the ashes and must agree a new collection date.

ou may also instruct the funeral director to return the ashes to the crematoriu an collect them there or so that the cremation authority may scatter or bury th can context them there or so that the cremation authority may scatter of only them. If you do not respond or do not inform the fineral director what your instructions are, the functal director may return the ables to the crematorium. The cremation authority will to contact you to find or what you want do not with the ables. At this time you may inform them that you still intend to collect the ables and mast agree a new collection date. You may also instruct the cremation authority to blary or scatter the ables (of they offer this service). If you do not collect the ables, they may then be scattered or buried by the cremation authority.

C. I instruct the cremation authority to bury or scatter the ashes (whichever option is offered).

offered). The cremation authority will bury or scatter the ashes. This is usually done in the Garden of Remembrance, although each cremation authority will have a different procedure. The cremation authority will be able to tell you which options it offers. The cremation authority will record what is done with the absets in the cremation register.

D. I instruct the cremation authority to bury or scatter the ashes in the same location as another person.

The cremation authority may be able to do this. You will need to tell them the name of the deceased, the date of their cremation and where their ashes were buried or scattered.

deceased, the date of their cremation and where their ables were buried or scattered. **Sensitive disposed of metabol-**Crematorium, often arrange for neutla which survives the cremation process to be recovered and consitively crysceld. Metaba are made up of feans used in the construction of the coffin (e.g. prim and staples) and some surgical implants (e.g. hip joints, prims and places). Some cremationium may bury the neadla whith the crematorium grounds. Asy proceeds received to recycle and should clearly state their policy in terms of any metal recovered following remainion. If you while, you have the right to request that their policy in terms of any metal recovered following the cremation process will render the majority of jewellery unrecognisable and ideally should be termsvel before cremation.

Cremulation which is the reduction of bones into ashes is carried out in most cases following cremation, unless the cremation authority is instructed not to. You must make this clear on the application form.

If no instructions are received in the timescales in section 5, the cremation authority has the right to dispose of ashes by the procedure set out in sections 51 – 56 of the Burial and Cremation (Scotland) Act 2016.

Note 6.

The crematorium is required to verify that the information contained in this form is correct and that the cremation can proceed. i.

ii. The signatory should sign the form when they approve the cremation.

SCHEDULE 4

Regulation 8(3)(d)

APPLICATION FORM FOR THE CREMATION OF A PREGNANCY LOSS ON OR BEFORE 24 WEEKS: HEALTH AUTHORITY OR BODY ARRANGED CREMATION

Commencement	Information
I19 Sch. 4 in f	prce at 4.4.2019, see reg. 1(1)
	Cremation number:
Form A4: Application for cremation of pregnand shared or individual cremation	y loss by a health authority or body-
Crematorium/cremation authority	Time of cremation
	Date of cremation
This form is used to apply for individual cremation more than one pregnancy loss, where the loss occur	
gestation and the loss was for any reason (i.e. termi	iation or miscarriage). This is a requirement

ne Cremation (sectionary) regulations 2019, made under section 48 of the Burlat and Crema otland) Act 2016. This application must be signed by the person authorised to make the lication for cremation. Each pregnancy loss must be identified by the hospital or clinic ID application is made to the cremation authority which is to carry out the cremation. The ation authority will need to examine the form to make sure that it contains all of the say information. Missing information or information that is not accurate may result in the ation being delayed or refused. If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should speak to staff at the crematorium where the cremation is to take place.
 Individual cremation

 When a preprinary loss is to be cremated individually, no other pregnancy loss(es) are to be included on this from.

 Are ashes to be returned to the next of kin
 Yes
 No

If yes - provide contact details of who will collect the ashes (individual or funeral director

Contact details (phone number / email)

Contact details (phone number / email)		
Personal details of individ purpose.	uals contained in this form are not to be used for any other	

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

Act 2016 and

applying for the cremation is 'the applicant' and has the legal right to apply under section 78 of the Burial and Cremation (Scotland) Act 2016.

(prior name of apprication) on both (organization) and the authorited and errora, declare that Hold paperwork chaing no each of the pregnance, losses by the molecula practitioned registered numeri registered mixwife, and that takes a declaration that each pregnancy called before or no completion of it teach pregnancy loss showed no signs of life.

Container number ____

	Pregnancy Loss Unique Identifier		Pregnancy Loss Unique Identifier		Pregnancy Loss Unique Identifier		Pregnancy Loss Unique Identifier
1		13		25		38	
2		14		26		39	
3		15		27		40	
4		16		28		41	
5		17		29		42	
6		18		30		43	
7		19		31		44	
8		20		32		45	
9		21		33		46	
10		22		34		47	
11		23		35		48	

12	24	36	49	
		37	50	
		37	50	

are of Applicant _____

Post code	Telephone	
	cremation (to be completed by the cremation	

This section is used by the cremation authority to confirm that the application is in order and that the cremation can take place. Cre

I confirm that all relevant sections of Form A4 have been completed. I confirm that I approve this application for cremation.

Date (DD/MM/YYYY)

Name of crematorium staff

Signature of crematorium staff	
Position	

SCHEDULE 5

Regulation 8(3)(e)

APPLICATION FORM FOR THE CREMATION OF AN ADULT OR CHILD: LOCAL AUTHORITY APPLICATION UNDER SECTION 87

Commencement Information I20 Sch. 5 in force at 4.4.2019, see reg. 1(1)

		Cremation number:
Form A5: Application for cremation (by a local	al authority)	
Crematorium/cremation authority	Time of cremation _	
	B	

NAME OF DECEASED ____

This form is used by a local authority to apply for a cremation of an adult or a child where: a) a person dies or is found dead within the area of the local authority; and b) it appears that no arrangements have been or are being made for the remains to be buried or cremated.

This application form must be completed by a representative of the local authority. This is a requirement of the Cremation (Scotland) Regulations 2019, for cremations made under section 8: of the Burial and Cremation (Scotland) Act 2016.

The application is made to the cremation authority which is to carry out the cre cremation authority will need to examine the form to make sure that it contains necessary information. Missing information or information the cremation auth is accurate may result in the cremation being delayed or refused. mation. The all of the ority does not think

n accurate may result in the cremanon being decayor or reuses. The local authority applying for the cremanon is the application." The blocal applying the cremanonian is the applying and the cremanonian varies and a straight of the 2016 Act. If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should appear to straff at the cremanonium where the cremanoin is to take place or to the funeral director who is making the arrangements. Caldidate notes are provided at the end of this form.

Change of cr

If it is necessary to change the crematorium for any reason a new Form A5 should be co

Forms checklist You should ensure that you have attached any necessary documents to this application form. The cremation authority will need to have them to allow the cremation to take place.

Required Form 14 - Certificate of Registration of Death.

nal Form E1 (if procurator fiscal has been involved and has released the remains for cremation) (see Note 2 of guidance notes). nal details of individuals contained in this form are not to be used for any other Opti

purpose. The information provided on this form is a legal requirement under the Burial and Corenation (Scotland) Act 2016 and the processed in line with Data Protection (egislation. The data with left alby the creation authority that is carrying out the creation. It will be held security, it such as the second of the second secon data. T be hele Office

Section 1: Your information ('the applicant')

This section is used to record your details, as the representative of the local authority responsible for the cremation. In completing this form you are the applicant for the cremation.

Position	
Title	
First names	
Sumame	
Local authority	

Business address
Post code
Business telephone
Email address
Crematorium at which the cremation will take place

Section 2: Application for cremation

This section is used to record the details of the person who has died.

I _________(the applicant) on behalf of (local authority) declare that the person has died found dead within the above local authority area (or ded in another local authority area (or ded in another local authority) area (or ded in another local authority) which is minking the application) and 1 ut was ars that Details of the person who has died

First names		 	
Sumame			
Name as shown on	coffin plate		

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

 Date of birth of the person who has died (DD/MM/YYYY), if known
 Age

 Address of the person who has died (if known)
 Age



Date on which the person died (or was found dead) (DDMM/YYYY)

Religion of deceased (if known)

Place where death took place (if known)

Name of hospital or practice where the doctor certified the death

Procurator Fiscal (PF)

How the effect of the death, the cremation cannot take place until the IPF has given approval. More information about the involvement of the prostrator fiscal is provided at Note 2 in the guidance notes (place ick, box) esto blow a supficiably.
 Has the death been investigated by the procurator fiscal?
 Yes | No | Iyes, bash cremations been approved by the procurator fiscal?
 Yes | No | Form El has been provided by the precurator fiscal | Yes | No | Ives, hash cremations been approved by the procurator fiscal | Yes | No | Ives, hash cremations been approved by the procurator fiscal | Yes | No | Ives, hash cremations been approved by the procurator fiscal | Yes | No | Ives | Ives | No | Ives |

Section 3: Hazards

This section is used to record details of anything which might be a hazard during cremation – for example, certain implants or the presence of particular diseases. Certain hazards may need to be removed from the body before cremation can take place. Implants or divices may diamage creation optimised on the cremation and the constraints or divices may diamage creation optimised on the cremation with the cremation. Some radioactive treatments may endinger the leadsh of the cremation with.

The presence of some hazards may delay or prevent cremation taking place. If you are in any doubt about this, you must discuss it with the funeral director or crematorium staff.

Are you aware if any of the following apply:

	108	140
Does the body pose a risk to public health: for example did the deceased have a notifiable infectious disease or was their body contaminated immediately before death?		
Is there a cardiac pacemaker or any other potentially explosive device currently present in or on the body? (see Note 3 in guidance notes for examples)		
Is there radioactive material or other hazardous implant currently present in or on the body?		

If you answered 'yes' to the questions about a cardiac pacemaker and/or radioactive material, please give details and state whether the device has been removed.

Section 4: Declaration

This section requires you to declare that the information you have provided in sections 1 to 3 is, to the best of your knowledge, true, and that you are entitled to apply for this cremation. It is an offence to knowledge provide false information and if you do so you may be liable to a fine of up to Level 3 on conviction

Applicant's declaration

I declare that I have the legal right to apply for this cremation. To the best of my knowledge, the information I have provided is accurate.

First names	
Sumame	
Signature of applicant	
Date (DD/MM/YYYY)	

Funeral Director's Signature (if applicable)	
Name of funeral director's representative	
Company name and address of funeral director	
Post code	
Signature of funeral director's representative	
Date (DD/MM/YYYY)	
Section 5: Disposal of ashes	
This section is used to state what is to happen to the ashes following cremation (please tick one box below).	nly
a) There are no known relatives/relatives are unable to be contacted and the ashes should	_
a) There are no known resurves are unable to be contacted and the askes should be disposed of in line with cremation authority procedure.	
I confirm that I have been in contact with the family of the deceased and have confirmed that want:	t they
b) To collect the ashes from the crematorium (please fill out section 5d)	
c) The cremation authority to scatter or inter the ashes	
The term "ashes" means the material (other than any metal) to which human remains are red by cremation including the coffin and any clothing. Metals may be recycled by the cremator to help reduce the impact on the environment. Each crematorium will have their own practice the second se	ium

Combined weight of the coffin and deceased

Section 5d: Details of who will collect the ashes from the crematorium: First names

Sumame				
Telephone nur	nber, if known			
Email address,	if known			
Address				
Postcode				

The person collecting the ashes has been made aware that identification will be needed when the ashes are collected.

Section 6: Authorisation for cremation (to be completed by the cremation authority) This section is used by the cremation authority to confirm that the application is in order and that the cremation can take place.

- Cremation number:
 Description that I have received the necessary documentation (as outlined in checklist on preserved the applicant).
 Description the applicant) allow the cremation to take place (If a document is still missing, please contact the applicant).
 Description of the applicant).
 Description of the applicant sections of Form A5 have been completed.
 Description of the applicant sections of Form A5 have been completed.
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 Description of the applicant sections of

Date (DD/MM/YYYY)

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

Nar	ne of crematorium staff				
Sig	sature of crematorium staff				
Pos	ition				
Gui	idance Notes				
1. N	iote 1				
The	applicant completes the form in their capacity as the representative of the local authority.				
2. N	iote 2				
Pro	curator Fiscal—				
Fisc Cro (SF who	danha which, are undere, superiors, unexplained or unexpected are reported to the Procentator and who may instruct the police to investigate the circumstances of the dash. While the wn Office and Procurator Fiscal Service (COPFS), the Scottish Faalities Investigation Unit UJI is a specialitati mut reportable for investigating these deaths. The SFU will discuss the discussion is required. Information is available on the COPF website: " <i>Drw w copfs gov, viden</i> registing-dashad."				
For the place	n E1 is issued by the SFIU when the cremation has been approved and may be sent directly to crematorium. It must be received by the crematorium before the cremation is due to take e.				
3.	Note 3				
Haz	tards				
i.	Examples include: pacemaker; cardiac implant; drug pump; neuro-stimulator; shunt; battery powered implant; Fixion nails used in treatment of bone fractures. Please discuss with the functal director or correlation autority if you are usure.				
ii.	Notifiable diseases are listed in Schedule 1 of the Public Health etc. (Scotland) Act 2008.				
iii.	Some injections for cancer treatment contain radioactive material which may mean that the cremation has to be delayed for a period.				
4.	Note 4				
i.	The applicant is required to declare that they are the representative of the local authority and entitled to apply for the cremation in terms of the Burial and Cremation (Scotland) Act 2016.				
ii.	The funeral director is required to complete the second part of section 4 (if involved).				
5.	Note 5				
1	The applicant should indicate whether there are any family members who wish the ashes to				
	be returned to them.				
ü.	The cremation authority will record what is done with the ashes in the cremation register.				
iii.	Sensitive disposal of metals-				
	Crematoriums may arrange for metal which survives the cremation process to be recovered and sensitively verselved. Metals are made up of items used in the contrast-tion of the coffin (e.g., pris and staples) and some surgical implants (e.g., hip joints, priss and pathes). Any proceeds received following recycling are distributed to chairing. The crematorium will reed your permission to recycle and should clearly state their policy in terms of any metal recorrection terms. The cremator prime will be the metals recorrection by the prime contrast terms will record the minimum of power the restriction of the prime contrast terms will record the minimum of power the unrecognisable and ideally should be removed before cremation.				
6.	Note 6				

i. The cremation authority is required to verify that the information contained in this form is correct and that the cremation can proceed.

ii. The signatory should sign the form if they approve the cremation.

SCHEDULE 6

Regulation 8(3)(f) and (g)

APPLICATION FORM FOR THE CREMATION OF BODY PARTS FOLLOWING POST-MORTEM EXAMINATION OR A WHOLE BODY OR BODY PARTS FOLLOWING ANATOMICAL EXAMINATION

Commencement Information

I21 Sch. 6 in force at 4.4.2019, see reg. 1(1)

Cremation number: Form A6: Application for cremation of body parts following a hospital arranged post mortem examination or whole body/ body parts donated for anatomical examination

Crematorium/cremation authority

- This form is such to apply for a cremation of: a shole body following an automical examination (where the body was dowated on or after the start of the body following an automical start of the body was dowated on or after Act 2006 (14 Heaven 1989); or Act 1984 as an excluded by the Human Tissue (Sociand) body parts which have been retained after an automical examination (where the body was dowated on or after the commercicence of the Anaromy Act 1984 as an archided by the Human Tissue (Sociand) Act 2006 (14 February 1980); or hody parts which have been retained after a longital arranged post mortem examination.

- This is a requirement of the Cremation (Scotland) Regulations 2019, made under section 48 of the Burial and Cremation (Scotland) Act 2016.

Anatomical examination

When a person bequeaths their body for anatomical examination and their remains are to be cremated after the examination, the university's Licensed Teacher of Anatomy will complete Form M(a) when releasing a whole body for diposal. A person authorised by the university is required to complete Form A6 to apply for the cremation.

Body Parts (anatomical examination or post mortem examination)

Form M or Form N must be submitted along with Form A6 to the cremation authority to cremate the body/ organs/ body parts.

(a) Certificate of Authorisation for the disposal of a body following material cumination; section 27A of the Registration of littleth, Danh and Marriages (Scottad) Ast 1966 sa mended by the Cirtification of Danh Scottad) Art 2011). (b) Certificate of Autorisation for the disposal of body parts following material examination accumation and anticipation of littleth, Danhs and Marriages (Scottad) Act 1965 (sa amended by the Cirtification of Danh Scottad) Art 2011).

Hospital arranged post mortem examination

When the form authorising a hospital post mortem examination is completed by the next of kin they will complete the section for disposal of any retained organs/ body parts. Form A6 should be used by the hospital to arrange for cremation of the organs/ body parts.

The application

The application is made to the cremation authority which is to carry out the cremation. The cremation authority will need to examine the form to make sure that it contains all of the necessary information. Missing information or information that is not accurate may result in the cremation being delayed or refused.

The person applying for the cremation is 'the applicant' and has the legal right to apply for the

If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should speak to staff at the crematorium where the cremation is to take place.

Forms checklist

You should ensure that you have attached the necessary document to this application form. The cremation authority will need to have it to allow the cremation to take place.

Required

Certificate of Registration of Death (Form 14)

Certificate of authorisation for disposal of a body following anatomical examination (Form M).

OR

Certificate of authorisation for disposal of body parts following a post mortem examination or anatomical examination (Form N).

Details of individuals contained in this form are not to be used for any other purpose

Application for cremation - details of the deceased

Complete the declaration at section 4 and one of the following sections

Section 1 – cremation of a whole body after anatomical examination.

Section 2 - cremation of body parts retained following anatomical examination.

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

•	Section $3-{\rm cremation}$ of body parts retained following a hospital arranged post-mortem examination.
Section	on 1: Application for cremation of a whole body following anatomical examination
Looni	firm that the body described below was donated to

(University Name_____) on or after the commencement of the Anatomy Act 1984 as amended by the Human Tissue (Scotland) Act 2006 (14 February 1988).

Details of the deceased

Title Sex (please delete as applicable) Male / Female First name(s) (including any middle names)

Sumame

Date of birth (DD/MM/YYYY) Age (at death)

Postcode Date on which they died (or were found dead) (DD/MM/YYYY)

Place of death

Incrised person*) confirm on behalf of _______(Licensed Teacher of Anatomy/object dualmetry is confirm on behalf of ______(automatic section of any further inquiry or ______(automatic section) and the body dealled above and attach Form M confirming that it is now assed for disposal and may be cremated.

I confirm that, to the best of my knowledge and belief, no implants or hazards remain in or on the body. * The university may authorise a suitable person to complete Form A6 (such as a bequest co-configurate).

Section 2: Application for cremation of body parts following anatomical examination

Londrin that the body part(s) described on Form N was/were retained from body/ bodies which was/were donated to (University Name ______) under the Anatomy Act 1984 as amended by the Human Tissue (Scotland) Act 2006. * The university may authorise a suitable person to complete Form A6 (such as a bequest co-ordinator).

Section 3: Application for cremation of body parts following a hospital arranged post mortem examination

more examination
 (Dector / Pathologist/andector person*)
 confirm to behalf of ______(nome of Andreiver person*)
 (nome of Andreiver person*)

* The hospital may authorise a suitable person to complete Form A6.

Section 4: Declaration

Business address

Position

I declare that I have the legal right to apply for this cremation. To the best of my knowledge and belief, all the information given in this application is correct, no information has been omitted and authorisation for the disposal has been obtained.

Signature of applicant	
Date (DD/MM/YYYY)	
Organisation	

Postcode				

Section 5: Authorisation for cremation (to be completed by the cremation authority) This section is used by the cremation authority to confirm that the application is in order and that the cremation can take place.

Cremation number:

I confirm that I have seen the appropriate documentation (as outlined in the checklist on page 2 of this form) to allow the cremation to take place (If a document is still missing, please contact the applicant).

I confirm that all relevant sections of Form A6 have been completed.

I confirm that I approve this application for cremation.

Date (DD/MM/YYYY) Name of crematorium staff Signa ture of crematorium staff

SCHEDULE 7

Regulation 8(3)(h)

APPLICATION FORM FOR THE CREMATION OF BODY PARTS FOLLOWING ANATOMICAL EXAMINATION WHERE THE DECEASED DIED BEFORE 14 FEBRUARY 1988

n
í

I22 Sch. 7 in force at 4.4.2019, see reg. 1(1)

		Cremation
		number:
the Human Tissue (Scotland) Act 2	n of body parts donated in Scotland for a commencement of the Anatomy Act 198- 006 (14 February 1988)	inatomical 4 as amended by
Crematorium/cremation authority		
This form is used to apply for cremati anatomical examination or teaching b by the Human Tissue (Scotland) Act Cremation (Scotland) Regulations 20 authorised to make the application for	ion of body parts which were donated in Sc refore commencement of the Anatomy Act 2006 (14 February 1988). This is a requirer 19. This application must be signed by the reremation.	otland for 1984 as amended ment of the e person
The application is made to the cremat cremation authority will need to exam	ion authority which is to carry out the crem ine the form to make sure that it contains a mation or information that is not accurate n	nation. The all of the may result in the
	ormation that is required, or are not sure wh f at the crematorium where the cremation is	at any part of the sto take place.
	rematorium using their usual procedure. this form are not to be used for any other	r purpose
(Scotland) Act 2016 and will be proce be held by the cremation authority the confidence and processed solely for the others. It will not be shared with any th	n is a legal requirement under the Burial an essed in line with Data Protection legislatio it is carrying out the cremation. It will be he he purpose of carrying out the cremation an inford pary. You have the right to know what the cremation authority in writing, receive ed to include in their privacy notice how th ay make a complaint to the Information Co	n. The data will eld securely, in the handling of t data is held
	n of body parts donated in Scotland for a commencement of the Anatomy Act 198- 006 (14 February 1988)	inatomical 4 as amended by
I, (name of Licensed Teacher of Anato	my/authorised person*)	
at (name of Scottish university) that the body parts(s) described below	v is/are cremated.	request
I confirm that the body part(s) describ name)	bed below were donated to or acquired by (i	insert university
commencement of the Anatomy Act (14 February 1988).	1984 as amended by the Human Tissue (Sco	
Anatomy reference no.	Parts for disposal	
* The university may authorise a suita (such as a bequest co-ordinator).	able person to apply for the cremation and c	complete Form A7
Section 2: Declaration		
I declare that I have the legal right to belief, all the information given in thi that authorisation for the disposal has	apply for this cremation. To the best of my s application is correct, no information has been obtained.	knowledge and been omitted and
Signature of Applicant	Date	
University		
Address		
Postcode		
Telephone		
Section 3: Authorization for another	tion (to be completed by the cremation at	uthority)
	tion (to be completed by the cremation at tions of Form A7 have been completed.	acaorny)
I confirm that I approve this a		
Date (DD/MM/YYYY)		
Name of crematorium staff		
Signature of crematorium staff		
Position		
Remains which cannot be cremated		

Where the body parts are in such a condition that means they are unable to be cremated the cremation authority may refuse to accept them and return them to the applicant for an alternative method of disposal (e.g. burial).

SCHEDULE 8

DEATH INVESTIGATED BY PROCURATOR FISCAL – FORM E1

Commencement Information I23 Sch. 8 in force at 4.4.2019, see reg. 1(1)

SCHEDULE 9

Regulation 15(1)(a)

CREMATION REGISTER – WHOLE BODIES

Commencement Information

I24 Sch. 9 in force at 4.4.2019, see reg. 1(1)

Regulation 9

FORM B1

Register of Cremation of Whole Bodies

crematorium]	
of	
name	
H	
[inse	
of	
crematorium o	
the	
att	
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Tie	
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Dispersal of ashes information (and changes and dates)

Funeral director						
Date of death Funeral director						
Date of birth						
Sex of the deceased						
Name of the deceased						
Date of cremation						
Cremation number						

SCHEDULE 10

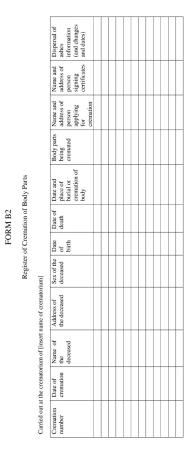
Regulation 15(1)(b)

CREMATION REGISTER – BODY PARTS

Commencement Information

I25 Sch. 10 in force at 4.4.2019, see reg. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)



SCHEDULE 11

Regulation 15(1)(c)

CREMATION REGISTER - STILLBIRTH AND PREGNANCY LOSS

Commencement Information

I26 Sch. 11 in force at 4.4.2019, see reg. 1(1)

FORM B3

Register of Cremation of Stillbirth and Pregnancy Loss

ium of [insert name of crematorium]

		(a)	(q)	(c)	
Cremation	Date of	NHS number*	Name**	Name and address of the applicant*	Name and address of the applicant ⁴ Dispersal of ashes information (including if
	CICILIAUOII	TINITIOCI			IIOIIC METE TECOVERED

**Complete column (b) with name given to the baby (if one has been

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision regarding cremations in Scotland, in particular in respect of the management and operation of crematoriums, applications for cremation, the handling of ashes and cremation registers. The Burial and Cremation (Scotland) Act 2016 ("the Act") repeals and replaces the Cremation Acts 1902 and 1952 as they apply to Scotland. The Act makes provision to regulate cremation and places duties on cremation authorities.

Regulations 2 to 4 concern the operation and management of crematoriums. Regulation 2 provides that cremation authorities must prepare and maintain a management plan to be known as a Crematorium Management Plan which must make provision about matters specified in regulation 2(4). The Plan must be regularly reviewed and available for inspection by members of the public or an inspector of cremation. Regulation 3 makes provision about documentation which must be retained by the authorities for a period of 50 years on a confidential basis. A person appointed as an inspector of cremation will have powers to enter premises to investigate compliance with these Regulations and provisions under the Act. Regulation 4 makes provision

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019. (See end of Document for details)

imposing duties on cremation authorities in connection with maintenance and operation of crematoriums.

Regulations 5 to 7 make provision regarding the operation of cremators. Cremation authorities must ensure that cremations are not combined to ensure the remains of only one adult, child, stillborn child or fetus are cremated each time (regulation 5). This does not apply to a joint cremation or a shared cremation as defined in regulations 6 and 7. A joint cremation is the cremation of the remains of one adult together with one, or more than one, child, still-born child or fetus; or the cremation of the remains of more than one child, still-born child or fetus; or the cremation of the remains of each person who has authority to make arrangements for the cremation. A shared cremation is the cremation of the remains of more than one fetus following an application by a health authority or body which is authorised to make arrangements for cremation by virtue of Part 3 of the Act.

Regulations 8 to 11 concern the application process for cremations. Applications must be in a prescribed form and contain the information specified in the relevant form (regulation 8 and schedules 1 to 7). Regulation 9 and schedule 8 and regulation 10 make provision for circumstances where additional documentation is required (authority from the procurator fiscal where the death has been investigated by the fiscal and a warrant to disinter for exhumed remains). Regulation 11 provides that cremation authorities may make inquiries in relation to any application or accompanying documents.

Sections 51 to 56 of the Act make provision about the handling of ashes by cremation authorities and funeral directors, including arrangements for retention, collection and disposal of ashes. The duties regarding the retention of ashes are set out in sections 52 to 55 of the Act. Where by virtue of section 52(3) of the Act a funeral director has collected ashes from a cremation authority regulation 12(1) makes provision about notice to be given by the funeral director to the applicant. Where by virtue of section 54(5) of the Act a funeral director returns ashes to a cremation authority regulation 12(3) makes provision about notice to be given by the cremation authority to the applicant. Section 26 (service of documents) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) applies in relation to notices to be given under regulation 12. Regulation 13(1) specifies 4 weeks beginning with the day after the day on which cremation took place, for the purposes of sections 51(3)(a) and (b) and 52(2) and (3) (initial period for retention of ashes by the cremation authority). Where the ashes are not collected, the cremation authority must ascertain whether the applicant wishes the ashes to be retained for a further period: regulation 12(2) specifies 4 weeks beginning with the day after the end of the specified period mentioned in regulation 13(1) as the further period for retention, for the purposes of section 53(2)(a) and (b). Regulation 13(3) specifies 4 weeks beginning with the day notice is given to the applicant under regulation 12(1) for the purpose of section 54(1)(b) (period for collection of ashes from funeral director by the applicant). Regulation 13(4) specifies 4 weeks beginning with the day on which the cremation authority has given notice to the applicant under regulation 12(3) for the purposes of section 55(2)(a) and (3) (period for collection of ashes from cremation authority following return by funeral director).

For the purposes of sections 51, 53 and 55 of the Act regulation 14 provides that the specified method of disposal of ashes is burial or scattering.

Regulation 15 prescribes the form of, and the information which must be recorded in, cremation registers and places a duty on cremation authorities to review each register and ensure that the information is accurate and up to date.

Changes to legislation: There are currently no known outstanding effects for the The Cremation (Scotland) Regulations 2019.