

SCHEDULE 1

Regulation 8(3)(a)

APPLICATION FORM FOR THE CREMATION OF ADULT OR CHILD

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, made 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.

The cremation authority will need to check the form to make sure it contains all of the necessary information. Missing information or information that is not accurate may result in the cremation being delayed or refused. If this form has not been completed correctly or is incomplete, the cremation 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 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 funeral director to arrange a cremation but where one is being used the funeral director must sign the relevant part of section 4 of this form.

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 A1 should be completed.

Personal details of individuals contained in this form are not to be used for any other purpose.

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 be held by the cremation authority that is carrying out the cremation. It will be held securely, in confidence and processed solely for the purpose of carrying out the cremation and the handling of ashes. It will not be shared with any third party. You have the right to know what data is held about you and you can, by contacting the cremation authority in writing, receive a copy of that data. The cremation authority is obliged to include in their privacy notice how the information will be held, for how long and how you may make a complaint 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.
- (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 the 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 guidance notes for who can apply.

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 died, however, you may wish to seek the support of a parent or guardian if you feel it would be helpful.

Title

First name

Surname

Address

Post code							

Telephone

Email address

Relationship to deceased adult

Place of death

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Death abroad

If the death occurred outside the UK you will need to produce a copy of that country’s equivalent of a certificate of death and the authorisation to remove the body from that country. Healthcare Improvement Scotland (HIS) must check all papers and will authorise the cremation. See Note 2 of the guidance notes for more details.

Procurator Fiscal (PF)

If the PF has investigated the death, the cremation cannot take place until the PF has given approval. More information about the involvement of the PF is provided at Note 2 in the guidance notes. Please tick boxes below as applicable.

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

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 devices may damage cremation equipment if not removed before cremation. Some radioactive treatments may endanger the health of crematorium staff.

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:

	Yes	No
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 the guidance notes for examples)		
Is there radioactive material or any other hazardous implant currently present in or on the body?		

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Cremation (Scotland) Regulations 2019 No. 36

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 knowingly provide false information and if you do so you may be liable to a fine of up to Level 3 on conviction.**

You must declare that you understand the choice you have made about what is to happen to the ashes following the cremation.

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 fully understand the option that I have chosen.

Signature of applicant

Date (DD/MM/YYYY)

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Combined weight of the coffin and deceased
(complete if no funeral director involved)

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 anything that may mean the cremation should be delayed 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

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Cremation (Scotland) Regulations 2019 No. 36

(Name of representative _____)

- B. I authorise the funeral director who arranged the 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.**

Initials	
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Identification will be needed when the ashes are collected.

- C. I instruct the crematorium to disperse the ashes using their usual method.**

Initials	
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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.**

Name of deceased _____

Date of death _____

Please state location below (must be in a location agreed with the cremation authority):

Special Instructions
(e.g. splitting ashes, 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 cremation authority to confirm that the application is in order and that the cremation can take place (please tick).

- I confirm that I have received the necessary documentation (as outlined in the checklist on page 2 of this form) to allow the cremation to take place. If any document is still missing, please contact the applicant or their funeral 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 member

Signature of crematorium staff member

Position

Guidance Notes

1. Note 1

- i Adult – where the deceased nominated a person in a death declaration or will, the nominated person may complete the application form. If there is no nominated person, or the nominated person does not wish to make the application, the hierarchy below sets out the nearest relative who is entitled under section 65 of the Burial and Cremation (Scotland) Act 2016 to make arrangements on the death of an adult. Where the nearest relative in the hierarchy is unable or does not want to make the arrangements for any reason, the application can be made by the nearest relative listed below them in the hierarchy.
 - Spouse or civil partner;
 - Partner (living together for at least 6 months);
 - Child;
 - Parent;
 - Brother or sister;
 - Grandparent;
 - Grandchild;
 - Aunt or uncle;
 - Cousin;
 - Niece or nephew; or
 - Friend of long standing.

- ii Child – the hierarchy below sets out the nearest relative who is entitled to make arrangements on the death of a child under section 66 of the Burial and Cremation (Scotland) Act 2016. Where the nearest relative in the hierarchy is unable or does not want to make the arrangements for any reason, the application can be made by the nearest relative listed below them in the hierarchy.
 - Parent or person with parental rights and responsibilities (but who is not a local authority);
 - Brother or sister;
 - Grandparent;
 - Aunt or uncle;
 - Cousin;
 - Niece or nephew; or
 - Friend of long standing.

- iii Where the deceased died in hospital, the form may also be completed by the hospital managers or a member of staff designated by the hospital, for example, if no family member was available or if they did not wish to make the application.
- iv If the deceased was in a care home, sheltered housing or a long stay unit and there are no family or friends to arrange the cremation, the form may be completed by the manager or a member of staff.

2. Note 2

i **Procurator 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. Within the Crown Office and Procurator Fiscal Service (COPFS), the Scottish Fatalities Investigation Unit (SFIU) is a specialist unit responsible for investigating these deaths. The SFIU will decide whether further investigation is required. Information is available on the COPFS website: <http://www.copfs.gov.uk/investigating-deaths/our-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.

ii **Death abroad**

Healthcare Improvement Scotland (HIS) must check all papers and will authorise the cremation. It would be helpful if you are able to provide any papers translated into English. The papers are: Deaths Abroad Application Form and the Declaration. They are available on HIS website at:

http://www.healthcareimprovementscotland.org/our_work/governance_and_assurance/death_certification/review_service_information/deaths_abroad.aspx

3. Note 3

Hazards

- 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 funeral director or cremation authority if you are unsure.
- ii. 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>.
- 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.
- ii. The funeral director is required to complete the second part of section 4.

5. Note 5

i. Not all cremation authorities offer the same services – for example, some will scatter ashes while others will inter or bury them. Some crematoriums will split the ashes. You must contact the crematorium before sending the application form to find out if this is possible. If you are in any doubt about the options available to you, you should discuss them with the cremation authority or with the funeral director who is arranging the funeral. This will ensure that the cremation authority is able to carry out your instructions if it is possible. Once the cremation authority has accepted this application form, it must follow your instructions for what is to be done with the ashes.

ii. Further information about the options is 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 collect the ashes from the crematorium within **4 weeks** of the cremation taking place, the cremation authority will try to contact you to find out what you want done with the ashes. At this time you may inform them that you still intend to collect the ashes and must agree a new collection date. You may also instruct the cremation authority to bury or scatter the ashes (if they offer this service). If you do not respond or do not tell the cremation authority what your instructions are, the cremation authority may scatter or bury the ashes according to their standard procedures. If the cremation authority scatters or buries the ashes this will be 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 them being made available, the funeral director will try to contact you to find out what your instructions are for the ashes. At that point, you may inform the funeral director that you still intend to collect the ashes and must agree a new collection date. You may also instruct the funeral director to return the ashes to the crematorium for you to collect or so that the crematorium may scatter or bury them.

If you do not respond or do not inform the funeral director what your instructions are, the funeral director may return the ashes to the crematorium. The cremation authority will try to contact you to find out what you want done with the ashes. At this time you may inform them that you still intend to collect the ashes and must agree a new collection date. You may also instruct the cremation authority to bury or scatter the ashes (if they offer this service). If you do not collect the ashes, 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).

The cremation authority will bury or scatter the ashes. This is usually done in a 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 ashes 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.

lii **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 coffin (e.g. pins and staples) and some surgical implants (e.g. hip joints, pins and plates). Any proceeds received following recycling are distributed to charity. The crematorium will need your permission to recycle and should clearly state their policy in terms of any metal recovered following cremation. If you wish, you have the right to request that these metals are returned to you. The cremation process will render the majority of jewellery unrecognisable and ideally should be removed 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.

- iv. 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.

6 Note 6

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