

## SCHEDULE 3

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

#### Commencement Information

**II** Sch. 3 in force at 4.4.2019, see [reg. 1\(1\)](#)

##### Guidance Notes:

###### 1. Note 1

- i. The applicant is the woman who experienced the pregnancy loss or anyone else the woman has nominated to make the arrangements on her behalf (section 79 of the 2016 Act).
- ii. There is normally a lower age limit of 16 years old to be 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

###### 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 (SFUI) is a specialist unit responsible for investigating these deaths. The SFUI 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 EI is issued by the SFUI 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

###### 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.
- 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. 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 it is possible for the cremation authority to carry out your instructions. Once the cremation authority has accepted this application form, it must follow your instructions for what is to be done with the ashes.

**Changes to legislation:**

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