

2016 No. 883

CREMATION, ENGLAND AND WALES

**The Cremation (England and Wales) (Amendment) Regulations
2016**

<i>Made</i>	- - - -	<i>6th September 2016</i>
<i>Laid before Parliament</i>		<i>8th September 2016</i>
<i>Coming into force</i>	- -	<i>1st October 2016</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 7 of the Cremation Act 1902(a):

Citation and commencement

1. These Regulations may be cited as the Cremation (England and Wales) (Amendment) Regulations 2016 and come into force on 1st October 2016.

Amendment of the Cremation (England and Wales) Regulations 2008

2. The Cremation (England and Wales) Regulations 2008(b) are amended as follows.

3. In regulation 2(1) in the appropriate place insert—

““ashes” means all the material left in the cremator after a cremation, and following—

(a) the removal of any metal, and

(b) any subsequent grinding or other process which is applied to the material;”.

4. Omit regulation 34(2).

5. In regulation 35(1) omit “or 34(2)”.

6th September 2016

Dr Phillip Lee
Parliamentary Under Secretary of State
Ministry of Justice

(a) 1902 c.8. Section 7 was amended by Part 5 of Schedule 11 to the Finance Act 1949 (c.47), and by section 2(1) and (2) of the Cremation Act 1952 (c.31). By virtue of section 10 of the Births and Deaths Registration Act 1926 (c.48), the power to make regulations under section 7 of the Cremation Act 1902 includes a power to make regulations for the purpose of applying the provisions of the Births and Deaths Registration Act 1926 to cases where human remains are disposed of by cremation.

(b) S.I. 2008/2841; the relevant amending instrument is S.I. 2013/1869.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Cremation (England and Wales) Regulations 2008 (“the 2008 Regulations”) make provision about cremation in England and Wales, including in relation to the disposal of ashes, and the keeping of records relating to cremations.

These Regulations amend the 2008 Regulations to insert a definition of “ashes”, to make clear that this means all that is left in a cremator, other than metal, at the end of the cremation process.

The 2008 Regulations require cremation authorities to retain documents relating to cremations. These Regulations remove the requirement to keep paper copies of documents for two years where the documents are also kept electronically.

An impact assessment of the anticipated effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from coroners@justice.gsi.gov.uk; or by writing to the Coroners, Burials, Cremations and Inquiries Policy Team, Ministry of Justice, Post Point 3.37, 102 Petty France, London SW1H 9AJ and can be found at <https://consult.justice.gov.uk/digital-communications/consultation-on-cremation>.

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