

Cremation Form A1: Guidance Notes

Cremation Form A1 is to be used to apply for the cremation of an adult or child (other than a cremation arranged by a local authority).

Different application forms are available for other categories of cremation:

- Cremation Form A2 where the application is for the cremation of a stillborn baby.
- Cremation Form A3 where the application is for the cremation of a pregnancy loss (by an individual)
- Cremation Form A4 where the application is for the cremation of the remains of a pregnancy loss by a health authority or body
- Cremation Form A5 where the application is for the cremation of the remains of an adult or child by a local authority where they are making arrangements under section 87 of the Burial and Cremation (Scotland) Act 2016 (“the 2016 Act”)
- Cremation Form A6 where the application is for the cremation of a body/body parts donated for anatomical examination on or after the date of commencement of the Anatomy Act 1984
- Cremation Form A7 where the application is for the cremation of body parts donated in Scotland and in possession of a person licensed under section 3(2) of the Anatomy Act 1984 before the commencement of the Anatomy Act 1984 or where the date of death is not known or is before 14 February 1988.

Different forms are used for burial. These are available at:

<https://www.gov.scot/publications/burial-statutory-forms/>

Section 1: Your information (‘the applicant’)

Legal right to apply for a cremation

Where the deceased is an adult

Where the deceased nominated a person in an ‘arrangements on death declaration’ or in the deceased’s will, that nominated person is a person who may make arrangements on the death of the adult. The Cremation (Scotland) Regulations 2019 (2019 Regulations) provide that that person may complete the cremation application form.

If there is no nominated person, or the nominated person is unable or does not wish to make the arrangements for any reason, the nearest relative may do so. The nearest relative is the person entitled under section 65 of the 2016 Act to make arrangements on the death of the adult. The 2019 Regulations provide that that person may submit the application for cremation.

The nearest relative of the deceased adult is the person first listed in the hierarchy below.

Where the nearest relative in the hierarchy was under 16 years of age immediately before the adult’s death, or is unable or does not want to make the arrangements for any reason, or where it is not reasonably practicable to communicate with that person in the time available, the application can be made by the next nearest relative listed below them in the hierarchy.

- Spouse or civil partner;
- Partner (living together for at least 6 months immediately before the adult’s death)
- Child (including stepchild),
- Parent,
- Brother or sister,
- Grandparent,
- Grandchild,
- Aunt or uncle,
- Cousin,
- Niece or nephew, or
- Friend of long standing.

Where the deceased has not made a death declaration and there is no nearest relative to make the arrangements, the local authority has a duty to do so (see Form A5). Where a deceased adult died in hospital or a care home, the local authority may ask the care home or hospital to make arrangements on its behalf. Regulation 8 of the 2019 Regulations permits the application for cremation to be completed by the hospital manager or the care home.

If the adult's spouse or civil partner was permanently separated (either by agreement or under an order of a court) from the adult, or had deserted, or had been deserted by, the adult and the desertion continues, then the top bullet point "Spouse or civil partner" is omitted from the hierarchy.

Where the deceased is a child

For the purposes of making arrangements on the death of a child, the 2016 Act defines a child as a person (other than a stillborn baby) who is under 16 years of age.

The nearest relative of the deceased child is the person who is entitled to make arrangements on the death of the child under section 66 of the 2016 Act. The nearest relative must be 16 years or over immediately before the child's death unless they are the parent of the child. The 2019 Regulations provide that that person may submit a cremation application.

The nearest relative of the deceased child is the person first listed in the hierarchy below.

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.

Section 2: Information about the adult or child who has died

Place of death: forms checklist

The cremation authority is required to verify specific documentation in relation to the death of an adult or child before the cremation can proceed. This documentation should be submitted alongside this cremation application form. The required documents will differ depending on the country in which the adult or child died. The documentary requirements are set out in [the Registration of Births, Deaths and Marriages \(Scotland\) Act 1965 \(Prohibition on Disposal of a Body without Authorisation\) Regulations 2015](#).

Please use the below checklists to assist you in identifying the correct documentation to submit.

For a cremation, where the death occurred in Scotland:

Where an adult or child dies in Scotland and is to be buried in Scotland, the following documentation is required:

Form 14 – Certificate of Registration of Death given by the Registrar in Scotland¹

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

¹ The documentation required by regulation 3 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015 is a Form 14 specified in regulation 2(4) of the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 2015.

For a cremation, where the death occurred in England or Wales

Where an adult or child dies in England or Wales but is to be cremated in Scotland, the following documentation² is required:

A certificate of registration of death given by the registrar in England or Wales

A coroner's certificate (Form 6) authorising the burial or cremation of the body

Coroner's permission to move body out of England or Wales (Form 103)

For a cremation, where the death occurred in Northern Ireland

Where an adult or child dies in Northern Ireland but is to be cremated in Scotland, the following documentation³ is required:

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

For a cremation, where the death occurred outwith the United Kingdom

Where an adult or child dies abroad (outside of the United Kingdom) but is to be cremated in Scotland, the following documentation is required:

Form X – A medical reviewer's certificate declaring the documentation relating to the deceased's death outwith the United Kingdom to be in order⁴

For a cremation, where the death occurred abroad (outwith the United Kingdom)

For all deaths which occur outwith the United Kingdom, a medical reviewer from the Death Certification Review Service (DCRS) must provide authorisation before burial, cremation or hydrolysis can take place in Scotland. A DCRS medical reviewer (an experienced doctor) will carry out a review of all the paperwork relating to the deceased and their death to make sure the cremation is appropriate and can be carried out safely.

DCRS can be contacted for further information about the process and the documentation required at:

Phone: 0300 123 1898

Email: his.dcrs@nhs.scot

2 See regulation 4 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015.

3 See regulation 5 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015.

4 The documentation required by regulation 6 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015 is a Form X specified in regulation 2 of the Certification of Death (Scotland) Act 2011 (Authorisation of Cremation – Death Outwith Scotland) Regulations 2015.

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/>.

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

Section 3: Hazards

Recording information about hazards enables cremation authorities to manage health and safety risks to staff and to collect information for ongoing environmental risk assessment. Please complete this section to the best of your knowledge for cremations.

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>.

Examples of implants include: pacemaker; cardiac implant; drug pump; neuro-stimulator; shunt; battery powered implant; Fixion nails used in treatment of bone fractures. Not all implants will require removal prior to cremation, however, where possible components should be recycled. Please discuss with the funeral director or cremation authority if you are unsure.

Some injections for cancer treatment contain radioactive material which may mean that the cremation has to be delayed for a short period.

Section 4: Disposal of ashes

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 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.

Further information about the options are outlined below:

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 cremation 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 cremation authority 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 disperse the ashes using their usual method

The cremation authority will bury or scatter the ashes. This is usually done in a 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 and will record what is done with the ashes in the cremation register.

C.1 I would like the ashes to be scattered/buried in the same location as a previously deceased 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

Cremation authorities 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 cremation authority 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.

If no instructions are received in the timescales in section 4, the cremation authority has the right to dispose of ashes by the procedure set out in sections 51 – 56 of the 2016 Act and in the 2019 Regulations.

Section 5: Declaration

Applicant's declaration

Declaration of right to apply for cremation

The applicant is required to declare that they are entitled to apply for the cremation of an adult or child by virtue of sections 65, 66 or 68 of the 2016 Act and using the appropriate application form as set out the 2019 Regulations. For more information see guidance notes on Section 1 above.

It is an offence to knowingly or recklessly provide information which is false or misleading in a material way in, or in connection with, an application for cremation and if a person does so then they may be liable to a fine of up to Level 3 on the standard scale on conviction.

Funeral Director's declaration

The funeral director is to complete the second part of section 5.

The funeral director should add their funeral director registration number to the application form in the relevant section.

Combined weight of coffin and deceased

It is helpful for the cremation authority to know the weight so that if any adjustments are required these can be made in advance of the cremation service.

Section 6: Authorisation for cremation (to be completed by the cremation authority)

Section 6 is for the cremation authority to complete, to record that they have received all the necessary documentation, that the form has been completed by the applicant, and that they are satisfied that the application can be approved.

The cremation authority should add their cremation authority registration number to the top section on page one.

The Scottish Government expects each burial authority, cremation authority, hydrolysis authority and funeral director to be registered on the Funeral Sector Register where each organisation will be assigned its own unique registration number.

Under the 2016 Act burial, cremation and hydrolysis authorities have discretion whether to accept any application or to ask for additional information.

Details on how to register can be found by visiting the [Funeral Sector Register](#).