
STATUTORY INSTRUMENTS

2008 No. 2841

The Cremation (England and Wales) Regulations 2008

PART 8

Revocations, savings and transitional provisions

Revocations

36. Subject to the following regulations, the instruments specified in Schedule 2 are revoked.

Savings and transitional provisions

37.—(1) Any person who, immediately before these Regulations come into force, was a medical referee or a deputy medical referee under regulation 10 of the 1930 Regulations shall be treated as a medical referee appointed under regulation 6(1) or a deputy medical referee appointed under regulation 6(2), as the case may be.

(2) Any person who, immediately before these Regulations come into force, was a registrar under regulation 17 of the 1930 Regulations shall be treated as a registrar appointed under regulation 31.

[^{F1}(3) Notwithstanding the coming into force of the Cremation (England and Wales) (Amendment) Regulations 2017 on 6th April 2018, forms—

(a) “Cremation 1” (Application for cremation of the body of a person who has died), “Cremation 2” (Application for cremation of body parts), and “Cremation 3” (Application for cremation of stillborn baby), set out in Schedule 1 to these Regulations as in force before that date; and

(b) submitted to the cremation authority before that date;

may be used in the cases to which they apply in relation to any cremation held on or after that date.]

(4) In this regulation “the 1930 Regulations” means the Regulations made by the Secretary of State under section 7 of the Cremation Act 1902 and section 10 of the Births and Deaths Registration Act 1926 and dated the 28th October 1930 ^{M1}.

[^{F2}(5) Paragraph (6) applies in any case where, on or after 6th April 2018—

(a) a cremation authority holds ashes from a cremation; and

(b) the application for that cremation was made on one of the forms referred to in paragraph (3) (a).

(6) Where this paragraph applies—

(a) “instructions for ashes” in regulation 30(1) means—

(i) any written instructions, or other instructions, given by the applicant to the cremation authority before 6th April 2018;

(ii) any written instructions given by the applicant to the cremation authority on or after 6th April 2018;

- (b) if no instructions for ashes are given in accordance with sub-paragraph (a), the cremation authority must retain the ashes, subject to regulation 30(2) to (4).]

Textual Amendments

- F1** Reg. 37(3) substituted (6.4.2018) by [The Cremation \(England and Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/1238\)](#), regs. 1, **7(a)**
- F2** Reg. 37(5)(6) inserted (6.4.2018) by [The Cremation \(England and Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/1238\)](#), regs. 1, **7(b)**
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Marginal Citations

- M1** S.R. & O. 1930/1016.

Changes to legislation:

There are currently no known outstanding effects for the The Cremation (England and Wales) Regulations 2008, PART 8.