

---

STATUTORY INSTRUMENTS

---

**2017 No. 1238**

**The Cremation (England and Wales)  
(Amendment) Regulations 2017**

**Amendment of regulation 30 (disposal of ashes)**

6. In regulation 30—

(a) for paragraphs (1) and (2) substitute—

“(1) Subject to paragraph (2) and regulation 37(5) and (6), after a cremation the cremation authority—

- (a) must dispose of the ashes in accordance with the applicant’s instructions for ashes; or
- (b) in any case where the applicant does not give instructions for ashes, or where the ashes are not collected in accordance with those instructions, may dispose of the ashes in accordance with paragraph (3);

where “instructions for ashes” means the instructions given on the application form completed by the applicant, or any subsequent written instructions given by the applicant to the cremation authority.

(2) In exceptional circumstances the cremation authority may at their discretion release the ashes to someone other than the applicant or the applicant’s nominee.”,

- (b) in paragraph (3), for “Subject to any special arrangements for the burial or preservation of the ashes, any ashes retained” substitute “Where paragraph (1)(b) applies, any ashes held”,
- (c) in paragraph (4), for the words from “unless 14 days” to the end, substitute “unless the cremation authority has made reasonable attempts to give the applicant 14 days’ notice of their intention to do so”.