

SCHEDULE 5

Regulation 8(3)(e)

APPLICATION FORM FOR THE CREMATION OF AN ADULT OR CHILD: LOCAL AUTHORITY APPLICATION UNDER SECTION 87

Cremation number:

Form A5: Application for cremation (by a local authority)

Crematorium/cremation authority	Time of cremation _____
	Date of cremation _____

NAME OF DECEASED _____

This form is used by a local authority to apply for a cremation of an adult or a child where:

- a) a person dies or is found dead within the area of the local authority; and
- b) it appears that no arrangements have been or are being made for the remains to be buried or cremated.

This application form must be completed by a representative of the local authority. This is a requirement of the Cremation (Scotland) Regulations 2019, for cremations made under section 87 of the Burial and Cremation (Scotland) Act 2016.

The application is made to the cremation authority which is to carry out the cremation. The cremation authority will need to examine the form to make sure that it contains all of the necessary information. Missing information or information the cremation authority does not think is accurate may result in the cremation being delayed or refused.

The local authority applying for the cremation is 'the applicant' and has the legal right to apply for the cremation under section 87 of the 2016 Act. If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should speak to staff at the crematorium where the cremation is to take place or to the funeral director who is making the arrangements. Guidance notes are provided at the end of this form.

Change of crematorium

If it is necessary to change the crematorium for any reason a new Form A5 should be completed.

Forms checklist

You should ensure that you have attached any necessary documents to this application form. The cremation authority will need to have them to allow the cremation to take place.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Cremation (Scotland) Regulations 2019 No. 36

Required

Form 14 - Certificate of Registration of Death.

Optional

Form E1 (if procurator fiscal has been involved and has released the remains for cremation) (see Note 2 of guidance notes).

Personal details of individuals contained in this form are not to be used for any other purpose.

The information provided on this form is a legal requirement under the Burial and Cremation (Scotland) Act 2016 and will be processed in line with Data Protection legislation. The data will be held by the cremation authority that is carrying out the cremation. It will be held securely, in confidence and processed solely for the purpose of carrying out the cremation and the handling of ashes. It will not be shared with any third party. You have the right to know what data is held about you and you can, by contacting the cremation authority in writing, receive a copy of that data. The cremation authority is obliged to include in their privacy notice how the information will be held, for how long and how you may make a complaint to the Information Commissioner's Office.

Section 1: Your information ('the applicant')

This section is used to record your details, as the representative of the local authority responsible for the cremation. In completing this form you are the applicant for the cremation.

Position

Title

First names

Surname

Local authority

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Date of birth of the person who has died (DD/MM/YYYY), if known

Form with two sets of four boxes for DD/MM/YYYY

Age _____

Address of the person who has died (if known)

Large empty box for address, with 'Post code' label and two sets of four boxes for the code.

Date on which the person died (or was found dead) (DD/MM/YYYY)

Form with two sets of four boxes for DD/MM/YYYY

Religion of deceased (if known)

Empty box for religion of deceased

Place where death took place (if known)

Empty box for place where death took place

Name of hospital or practice where the doctor certified the death

Empty box for name of hospital or practice

Procurator Fiscal (PF)

If the PF has investigated the death, the cremation cannot take place until the PF has given approval. More information about the involvement of the procurator fiscal is provided at Note 2 in the guidance notes (please tick boxes below as applicable).

Has the death been investigated by the procurator fiscal? Yes No

If yes, has the cremation been approved by the procurator fiscal? Yes No

Form E1 has been provided by the procurator fiscal Yes No

Section 3: Hazards

This section is used to record details of anything which might be a hazard during cremation – for example, certain implants or the presence of particular diseases. Certain hazards may need to be removed from the body before cremation can take place. Implants or devices may damage cremation equipment if not removed before cremation. Some radioactive treatments may endanger the health of the crematorium staff.

The presence of some hazards may delay or prevent cremation taking place. If you are in any doubt about this, you must discuss it with the funeral director or crematorium staff.

Are you aware if any of the following apply:

	Yes	No
Does the body pose a risk to public health: for example did the deceased have a notifiable infectious disease or was their body contaminated immediately before death?		
Is there a cardiac pacemaker or any other potentially explosive device currently present in or on the body? (see Note 3 in guidance notes for examples)		
Is there radioactive material or other hazardous implant currently present in or on the body?		

If you answered 'yes' to the questions about a cardiac pacemaker and/or radioactive material, please give details and state whether the device has been removed.

Section 4: Declaration

This section requires you to declare that the information you have provided in sections 1 to 3 is, to the best of your knowledge, true, and that you are entitled to apply for this cremation. **It is an offence to knowingly provide false information and if you do so you may be liable to a fine of up to Level 3 on conviction**

Applicant's declaration

I declare that I have the legal right to apply for this cremation. To the best of my knowledge, the information I have provided is accurate.

First names

Surname

Signature of applicant

Date (DD/MM/YYYY)

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Section 5d: Details of who will collect the ashes from the crematorium:

First names

Surname

Telephone number, if known

Email address, if known

Address

Postcode							
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

The person collecting the ashes has been made aware that identification will be needed when the ashes are collected.

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

This section is used by the cremation authority to confirm that the application is in order and that the cremation can take place.

Cremation number: _____

- I confirm that I have received the necessary documentation (as outlined in checklist on page 1 of this form) to allow the cremation to take place (If a document is still missing, please contact the applicant).
- I confirm that all relevant sections of Form A5 have been completed.
- I confirm that I approve this application for cremation.

Date (DD/MM/YYYY)

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Name of crematorium staff	<input type="text"/>
Signature of crematorium staff	<input type="text"/>
Position	<input type="text"/>

Guidance Notes

1. Note 1

The applicant completes the form in their capacity as the representative of the local authority.

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 (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/investigating-deaths/our-role-in-investigating-deaths>

Form EI is issued by the SFIU 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 period.

4. Note 4

- i. The applicant is required to declare that they are the representative of the local authority and 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 (if involved).

5. Note 5

- i. The applicant should indicate whether there are any family members who wish the ashes to be returned to them.
- ii. The cremation authority will record what is done with the ashes in the cremation register.
- iii. Sensitive disposal of metals—

Crematoriums may 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 crematorium 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.

6. Note 6

- i. The cremation authority is required to verify that the information contained in this form is correct and that the cremation can proceed.
- ii. The signatory should sign the form if they approve the cremation.