

Application for the burial of the remains of an adult or child

| | | |
|--------------------------------------|--|--|
| Burial number [official use only] | | Burial authority logo and/or address: |
| Full name of deceased | | |
| Name of burial ground | | |
| Day and date of burial | | |
| Time of service | | |

This is a statutory form made under regulation 3 of the Burial (Applications and Register) (Scotland) Regulations 2024 and the information and questions contained in it should not be changed.

This form must be used to apply for the burial of the remains of an adult or child in Scotland. The application is made to the burial authority you want to carry out the burial. The burial authority is the organisation responsible for managing the burial ground where the burial is to take place.

As the person who is applying for the burial, you are 'the applicant'. You must have the legal right to apply for the burial (see guidance note on "Legal right to apply for a burial").

The burial authority will need to check the form to make sure it contains all of the necessary information. Missing or inaccurate information may result in the burial being delayed or refused. If you are unsure about what information is required, or what any part of the form means, you can speak to the funeral director who is making the arrangements, staff at the burial authority or to any other person who is arranging the funeral. It is not a requirement to use the services of a funeral director to arrange a burial but where one is being used, the funeral director must sign the relevant part of this form.

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 ("the Act") and will be processed in line with Data Protection legislation. The data will be held by the burial authority that is carrying out the burial. It will be held securely, in confidence and processed solely for the purpose of carrying out the burial. It will not be shared with any third party, subject to any requirement made by an inspector under section 91(1) of the Act.

You have the right to know what data is held about you and you can, by contacting the burial authority in writing, receive a copy of that data. The burial 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.

Forms checklist

You should ensure that you have attached all required documents to this application form based on where the death occurred. The burial authority needs to have them for the burial to take place. Please see guidance note on "Forms checklist", which sets out which documents are required.

Section 1: Your information ‘the applicant’

This section is used to record your details. In completing this form you are the applicant for the burial. Please see guidance note on “Legal right to apply for a burial”, for information on who can apply. Applicants must be 16 years of age or older on the date the deceased died to apply for the burial. Applicants may be under the age of 16 if they are the parent of the child who has died, however, you may wish to seek the support of a parent or guardian if you feel it would be helpful.

| | |
|------------------------------|--|
| Title | |
| Full name | |
| Address | |
| Postcode | |
| Telephone number | |
| Email address | |
| Relationship to the deceased | |

Section 2: Information about the person who died

| | |
|---|--|
| Title | |
| Full name | |
| Name used on coffin plate (if different) | |
| Date of birth (DD/MM/YYYY) | |
| Date of death or date found dead (DD/MM/YYYY) | |
| Age at death | |
| Address | |
| Postcode | |
| If remains are cremated, date and place of cremation (if known) | |

Section 3: Burial details

| | |
|---|---|
| Name of burial ground | |
| Burial ground address and postcode | |
| Type of burial (see guidance note on “Type of Burial”) | <input type="checkbox"/> Coffin burial <input type="checkbox"/> Ashes |
| Type of lair ^(a) | <input type="checkbox"/> New lair Please describe type (see guidance note on “Type of new lair”) <input type="checkbox"/> Existing lair, but no previous burial Please describe location in burial ground (e.g. section and lair number) <input type="checkbox"/> Existing lair which contains a previous burial Please describe location in burial ground (e.g. section and lair number) and give details of last burial (deceased name and date of burial) |
| Is this a war grave? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, have you contacted the Commonwealth War Graves Commission and/or the Ministry of Defence? Please briefly summarise any discussion here. (see guidance note on “War Graves”) | |
| Any other requests or instructions? | |

^(a) A lair is a Scottish term for a burial plot or grave.

Section 4: Hazards

This section is used to record details of anything which might be a public health hazard or have an environmental impact on groundwater. You do not need to complete this section for ashes. (see guidance note on “Hazards”)

Are you aware if any of the following apply:

Does the body of the deceased pose a risk to public health: for example did the deceased have a notifiable infectious disease or was their body “contaminated” immediately before death?

☐ Yes ☐ No

Are there implant(s) present in the deceased? (see guidance note on “Hazards” for examples)

☐ Yes ☐ No

Is there radioactive material or any other hazardous implant currently present in the deceased?

☐ Yes ☐ No

Is the deceased chemically embalmed (e.g. formaldehyde present)?

☐ Yes ☐ No

If you answered ‘yes’ to the questions above about implants and/or radioactive material, please give details and state whether the device has been removed.

Section 5: Applicant's declaration

5.1: Authority to open lair for burial (see guidance note on "Authority to open lair for burial")

Please tick:

☐ I am the registered lair right-holder

☐ I am purchasing a new lair and wish to be registered as the lair right-holder

☐ The lair right-holder is deceased^(a)

Name of lair right-holder

Relationship of lair right-holder to deceased

☐ I am the representative or nearest relative of the deceased, but not the lair-right holder^(b)

Name of lair right-holder

Relationship of lair right-holder to deceased

Any other information:

^(a) If the lair right-holder is deceased, the burial authority may require you to sign an indemnity or complete a transfer of the right of burial. Please contact the burial authority separately to complete the process.

^(b) If you are the nearest relative or representative of the deceased, but not the lair right-holder, you will require their permission to open the lair and written consent must be submitted with your application.

5.2: Declaration of entitlement to apply for burial

(see guidance note on "Declaration of right to apply for burial")

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

I am entitled to apply for this burial and I hereby declare that the details and information provided in sections 1-5 are complete and correct to the best of my knowledge.

Signed:

Full Name:

Date:

Section 6: Funeral director details

This section is to be completed by the funeral director if funeral directing services are used.

Coffin or casket details

| | | |
|---|---|--|
| Coffin/ashes casket material (including handles) (see guidance note on "Coffin material") | | |
| Coffin/ashes casket shape (see guidance note on "Coffin/casket shape") | | |
| External Coffin/ashes casket Measurements (in cm) (see guidance note on "External coffin/ashes urn or casket measurements") | Overall length | |
| | Width at widest part (including any handles fully extended) | |
| | Width at narrowest part | |
| | Depth | |
| Combined weight of deceased and coffin (in kg) | | |
| Any other requests or instructions? | | |

I declare that I have discussed the options with the applicant and know no reason why the burial cannot take place. I understand that if I become aware of anything that may mean the burial should be delayed, I must inform the burial authority and the applicant.

Signed:

Full Name:

Date:

Company name and address:

Business email address:

Business telephone:

Section 7: Authorisation for burial (to be completed by the burial authority)

Please confirm the location in the burial ground of the new or existing lair to be used for this burial:

(e.g. lair number/section/extension)

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

☐ I confirm that I have seen the appropriate documentation to allow the burial to take place. If any document is missing, please contact the applicant or their funeral director.

☐ I confirm that all relevant sections of this form have been completed.

☐ I confirm that I approve this application for burial.

Signed:

Full Name:

Position:

Date:

Burial Form 1 (BF1) Guidance Notes

Burial Form 1 (BF1) is to be used to apply for the burial of the remains of an adult or child in a burial ground (other than a burial arranged by a local authority).

Different application forms are available for other categories of burial:

- Burial Form 2 (BF2) where the application is for the burial of the remains of a stillborn baby in a burial ground
- Burial Form 3 (BF3) where the application is for the burial of the remains of a pregnancy loss in a burial ground (by an individual)
- Burial Form 4 (BF4) where the application is for the burial of the remains of a pregnancy loss in a burial ground by a health authority or body
- Burial Form 5 (BF5) where the application is for the burial of the remains of an adult or child by a local authority where they are making arrangements under section 87 of the 2016 Act
- Burial Form 6 (BF6) where the application is for the burial of a body/body parts donated for anatomical examination on or after the date of commencement of the Anatomy Act 1984
- Burial Form 7 (BF7) where the application is for the burial 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 cremation. These are available at:

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

Section 1: 'the applicant' information

Legal right to apply for a burial

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 Burial (Applications and Register) (Scotland) Regulations 2024 (the "2024 Regulations") provide that that person may complete the burial 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 Burial and Cremation (Scotland) Act 2016 to make arrangements on the death of the adult. The 2024 Regulations provide that that person may submit the application for burial.

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 BF5 for the local authority). 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 3 of the 2024 Regulations then permits the application for burial to be completed by the hospital managers 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.

If the remains to be buried are the ashes of the deceased adult, the same applies. Where the deceased nominated a person in an arrangements of death declaration or in the deceased's will, the nominated person may complete the application to bury the ashes. If the deceased did not nominate someone, the hierarchy is the same as that set out in section 65.

An application for burial is not required for the scattering of ashes.

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 Burial and Cremation (Scotland) Act 2016. The nearest relative must be 16 years or over immediately before the child's death unless they are the parent of the child. The 2024 Regulations provide that that person may submit a burial 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.

If the remains to be buried are the ashes of the deceased child, the same applies. The nearest relative of the child who is entitled to make arrangements and complete the application is the same according to the hierarchy set out in section 66.

An application for burial is not required for the scattering of ashes.

Place of death: forms checklist

The burial authority is required to verify specific documentation in relation to the death of an adult or child before the burial can proceed. This documentation should be submitted alongside this burial 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 coffin burial, 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

For a coffin burial, where the death occurred in England or Wales:

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

- ☐ A Certificate of Registration of Death given by the registrar in England or Wales **and** a coroner's certificate confirming no inquest is to be held and authorising removal of the body out of England or Wales

or

- ☐ A coroner's certificate authorising the burial or cremation of the body.

For a coffin burial, where the death occurred in Northern Ireland:

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

- ☐ A Certificate of Registration of Death given by the registrar in Northern Ireland or a coroner's certificate authorising the burial or cremation of the body

and

- ☐ A coroner's certificate authorising removal of the body out of Northern Ireland.

For a coffin burial, where the death occurred outwith the United Kingdom:

Where an adult or child dies abroad (outside of the United Kingdom) but is to be buried 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.

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.

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.

For all deaths which occur outwith the United Kingdom, a medical reviewer from the Death Certification Review Service (DCRS) must provide authorisation before the burial or cremation 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 burial is appropriate and can be carried out safely.

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

Phone: 0300 123 1898

Email: his.dcrs@nhs.scot

For the burial of ashes, no matter where the death or the cremation occurred

Where the ashes of an adult or child are to be buried in Scotland, then please provide the following information and documentation to the burial authority, where this is available:

The date the cremation took place

The name of the crematorium

The address of the crematorium

☐ A certificate confirming cremation has taken place, where available

or

☐ An extract from the cremation register showing the cremation entry, where available

A certificate may have been issued by the cremation authority to the person making the funeral arrangements at the time the cremation took place. If you have misplaced this, you may be able to ask the relevant cremation authority for a copy of this certificate. Alternatively, where available, you may be able to ask the cremation authority for a copy of the details included in the crematorium's register of cremations.

Where no documents evidencing details of the cremation are available, please attach the certificate of registration of death issued by the Registrar in that country instead. It would be helpful if these papers were translated into English.

Section 3: Burial details

Type of Burial

In this section please indicate whether the burial is for ashes in an ashes urn or casket or for a coffin burial. The word "coffin" should be read to include coffin alternatives e.g. woollen shrouds.

Type of new lair

Please provide a description of the type of lair required. A lair is a Scottish term for a burial plot or grave.

Please indicate whether you would like:

- A full coffin lair, or
- An ashes urn or casket lair

And whether you have any preference for the location of the lair within the burial ground:

- Traditional lawn lair,
- Woodland/green lair,
- Faith section (please indicate which faith),
- Baby section

The options available will depend on what your chosen burial authority offers so you may wish to check this in advance.

War Graves

If the lair which is to be used for the burial is a war grave, please indicate whether the Ministry of Defence (MoD) and/or the Commonwealth War Graves Commission (CWGC) has been contacted as the lair right-holder.

The CWGC has a role in maintaining MoD graves and even where the CWGC is not the lair right-holder, a CWGC headstone may mark the lair. In this instance, the CWGC should be contacted as they may take steps to temporarily remove the headstone and add further inscription.

Section 4: Hazards

Recording information about hazards enables burial 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 coffin burials.

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>.

Specific information about potential groundwater pollutants from human burials such as formaldehyde (used in embalming fluid and coffin manufacture) can be found at:

[Cemeteries and burials: groundwater risk assessments - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284842/Cemeteries_and_burials_groundwater_risk_assessments_-_GOV.UK.pdf)

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 burial, however, where possible components should be recycled. Please discuss with the funeral director or burial authority if you are unsure.

In most cases, where the deceased had recent radiotherapy treatment (e.g. for some cancers) or underwent a diagnostic procedure involving radioactive substances, the residual radioactive material will be low and no special precautions are required before the burial can take place. If there are recently (within 20 months) installed permanent implants (e.g. prostate seeds), control measures⁵ may be required before the burial takes place.

Section 5: Applicant's declaration

5.1: Authority to open lair for burial

A lair right-holder is the person in whom the right of burial in a lair is vested. The lair right-holder has the right to be buried in, and to decide who else can be buried in, the lair.

In some burial grounds (especially green/woodland burial grounds), a person can purchase a right of burial in a section of a burial ground, but no particular lair has been identified. In this case, 'lair-right holder' should be read to encompass this.

⁵ The Institute of Physics and Engineering in Medicine (IPEM), Medical and Dental Guidance Notes; A good practice guide on all aspects of ionising radiation protection in the clinical environment: IPEM Report 113, 1 June 2024 (Chapter 17)

You are required to select one of the following options:

1. “I am the registered lair right-holder”

Please choose this option if you are the person who currently has the existing right of burial in the lair. You may have pre-purchased or reserved a lair and are choosing to bury someone in it. The lair may have been used for a previous burial, and is being reopened for a further burial. At the time of purchase, you will likely have been given a lair certificate, which has the lair number on it. This is used to identify the lair and should, where possible, be submitted with this application.

2. “I am purchasing a new lair and wish to be registered as the lair right-holder”

Please select this option if you are purchasing the rights in a new lair for someone who has died. You may be required to complete an additional form to purchase the rights and to be registered in the burial authority’s Register of Lair Right-Holders. Your funeral director may be able to help you with this or you can contact the relevant burial authority.

3. “The lair right-holder is deceased”

Please choose this option if the lair right-holder of the lair to be used for the burial, is deceased and the right of burial is being transferred to you. Please contact the burial authority to complete the transfer process. You may be asked to sign a statutory declaration to allow the burial to go ahead before the transfer is finalised, depending on burial authority policy.

4. “I am the representative or nearest relative of the deceased, but not the lair-right holder”

Please select this option if you are, for example, the executor or nearest relative of the deceased and are arranging the burial but are not, or do not intend, to be recorded as the lair right-holder.

If a new lair is required, the burial authority will assist you in purchasing the rights in a lair. You will need to consider who is to become the registered lair right-holder and they will need to complete further paperwork provided by the burial authority.

If an existing lair is to be used for the burial, but you are not the registered lair right-holder, please state the name of the lair right-holder and their relationship to the deceased. The burial authority will require the permission of the lair right-holder to open the lair and their written consent (which could be provided to the burial authority in varying formats, e.g. letter, email - you should check the details with the burial authority you are using) should be submitted with your application. If that lair right-holder is deceased, a transfer of the right of burial may be required. Please contact the burial authority to complete the transfer process. You may be asked to sign a statutory declaration to allow the burial to go ahead before the transfer is finalised, depending on burial authority policy.

5.2: Declaration of right to apply for burial

The applicant is required to declare that they are entitled to apply for the burial of an adult or child by virtue of sections 65, 66, 68 or 87 of the Burial and Cremation (Scotland) Act 2016 and using the appropriate application form as set out in Regulation 3 of the Burial (Applications and Register) (Scotland) Regulations 2024. 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 burial and if a person does so then they may be liable to a fine of up to Level 3 on conviction.

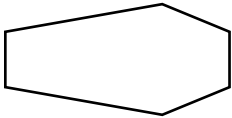


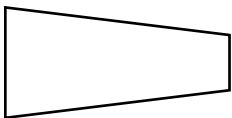
Section 6: Funeral director details

Coffin material (including handles)

Please state what material the coffin or ashes urn or casket (including any handles) are made from. For example, a coffin or ashes urn or casket may be wicker, wool, cardboard, plywood, mdf, chipboard, solid wood; and handles could be: metal, rope, wood, plastic. If a shroud is used, please also note that here and describe the shroud material.

Coffin/ashes casket shape

Please state the shape of the coffin or the ashes urn or casket, e.g. traditional coffin, rectangular, rounded, tapered.

| | |
|--|---|
| Traditional coffin <input type="checkbox"/> |  |
| Rectangular <input type="checkbox"/> |  |
| Rounded <input type="checkbox"/> |  |
| Tapered <input type="checkbox"/> |  |

External coffin/ashes urn or casket measurements

Please state the external measurements of the coffin/ashes urn or casket to assist the burial authority with lair preparation. This should be recorded in cm and should be inclusive of any handles.

The funeral director is required to sign and complete the declaration at the end of section 6.

Section 7: Authorisation for burial

The burial authority is required to verify that the information contained in the application form is in order and that they have seen the appropriate documentation before the burial can proceed.

The burial authority signatory should then sign and date the application form when they approve the burial.