SCOTTISH STATUTORY INSTRUMENTS

2015 No. 165

PUBLIC HEALTH

The Certification of Death (Scotland) Act 2011 (Post-Mortem Examinations – Death Outwith United Kingdom) Regulations 2015

Made - - - -	*2nd April 2015*
Laid before the Scottish Parliament	*2nd April 2015*
Coming into force - -	*13th May 2015*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 19(4) of the Certification of Death (Scotland) Act 2011(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Certification of Death (Scotland) Act 2011 (Post-Mortem Examinations – Death Outwith United Kingdom) Regulations 2015 and come into force on 13th May 2015.

Form and content of an application under section 19(2) of the Certification of Death (Scotland) Act 2011

2. An application under section 19(2) of the Certification of Death (Scotland) Act 2011 must be in the Form set out in the Schedule and contain the information and documents specified in that form.

MAUREEN WATT
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
2nd April 2015

(**a**) 2011 asp 11.

SCHEDULE

Regulation 2

FORM

Form of application under Section 19 of the Certification of Death (Scotland) Act 2015			
Part A – the applicant			
1.	Full name of applicant		
2.	Date of birth of applicant		
3.	Address of applicant		
4.	Were you nominated in writing by the deceased to represent them after their death with regard to the authorising of a post-mortem examination of the body of the deceased? If so, a copy of the nomination must be provided	Yes ☐	No ☐
5.	If no, do you know whether the deceased nominated in writing any other person to represent them after their death with regard to the authorising of a post-mortem examination of the body of the deceased? (If yes, please give details)	Yes ☐	No ☐
6.	Were you, immediately before the death occurred,		
	(a) the deceased's spouse or civil partner;	Yes ☐	No ☐
	(b) living with the deceased as husband or wife or in a relationship which had the characteristics of the relationship between civil partners and had been so living for at least 6 months (or if the deceased was in hospital immediately before death, had been so living for such period prior to the deceased's admission to hospital);	Yes ☐	No ☐
	(c) the deceased's child;	Yes ☐	No ☐

	(d) the deceased's parent;	Yes ☐ No ☐
	(e) the deceased's brother or sister;	Yes ☐ No ☐
	(f) the deceased's grandparent;	Yes ☐ No ☐
	(g) the deceased's grandchild;	Yes ☐ No ☐
	(h) the deceased's uncle or aunt;	Yes ☐ No ☐
	(i) the deceased's cousin;	Yes ☐ No ☐
	(j) the deceased's niece or nephew;	Yes ☐ No ☐
	(k) a friend of longstanding of the deceased.	Yes ☐ No ☐
7.	If the deceased was under 16 at the time of death, did you have parental rights and parental responsibilities in relation to that child immediately prior to their death?	Yes ☐ No ☐
Part B – the deceased		
8.	Name of deceased	

9.	Date of birth of deceased	
10.	Date of death	
11.	Country in which death occurred	
Part C – Disposal arrangements		
12.	Is the deceased to be buried in Scotland?	Yes ☐ No ☐
13.	Is the deceased to be cremated in Scotland?	Yes ☐ No ☐
14.	Where is the funeral to take place?	
15.	Date of funeral (if known at time of making application)	
Part D – accompanying documents		
16.	Please provide the following documents:	
	If relevant, the written nomination authorising the applicant to represent the deceased with regard to authorising a post-mortem examination (or a copy if the original is not available);	
	the written authorisation given under section 30, 32 or 33 of the Human Tissue (Scotland) Act 2006;	
	any certificate of cause of death issued in the country in which the death occurred (or a copy if the original is not available);	
	any certificate of registration of death issued in the country in which the death occurred (or a copy if the original is not available);	
	Statement containing any other relevant information with regard to the circumstances in which the death occurred.	

Part E- hazards		
	To the best of your knowledge and belief	
	Does the body of the deceased pose a risk to public health? e.g. did the deceased have a notifiable and infectious disease or was their body contaminated immediately before death.	Yes ☐ No ☐
	Is there a cardiac pacemaker or any other potentially explosive device currently present in the deceased?	Yes ☐ No ☐
	Is there radioactive material or other hazardous implant currently present in the deceased?	Yes ☐ No ☐

Part F: Declaration

- Should this request be granted, I authorise a post mortem examination.
- To the best of my knowledge and belief this certificate in correct and complete and the documents supplied are legitimate and are either the originals or a copy of the original:

Signature of the applicant:	
Date:	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify in regulation 2 the form and content of an application for assistance in the making of arrangements for post-mortem examinations and for the meeting of the cost of such examination under section 19 of the Certification of Death (Scotland) 2011.

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