Draft Regulations laid before the Scottish Parliament under section 106(2) and (3) of the Burial and Cremation (Scotland) Act 2016, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2026 No.

DISPOSAL OF HUMAN REMAINS

The Hydrolysis (Scotland) (No. 1) Regulations 2026

Made - - - - 2026

Coming into force in accordance with regulation 1(2) and (3)

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 99(1), 106(1) and 108 of the Burial and Cremation (Scotland) Act 2016(**a**), section 27A(2) and (6) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(**b**) and all other powers enabling them to do so.

In accordance with section 104(6) of the Burial and Cremation (Scotland) Act 2016 the Scottish Ministers have consulted persons they consider appropriate.

In accordance with section 106(2) and (3) of that Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament(**c**).

PART 1

Preliminary

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Hydrolysis (Scotland) (No. 1) Regulations 2026.

(2) Subject to paragraph (3), these Regulations come into force on 2 March 2026.

(3) Regulations 1 to 3 come into force on the day after the day on which these Regulations are made, for the purpose of making regulations under sections 47(1), 48(2), 56(1) and 57(1) and (2) of the Act, as applied in relation to hydrolysis and as if modified in accordance with regulation 2 and schedule 1 of these Regulations.

(4) In these Regulations—

"the Act" means the Burial and Cremation (Scotland) Act 2016,

(**a**) 2016 asp 20.
(**b**) 1965 c. 49. Section 27A was inserted by section 25 of the Certification of Death (Scotland) Act 2011 (asp 11).
(**c**) The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). By virtue of section 33(3) of that Act, the Regulations are subject to the affirmative procedure.

"hydrolysis" means the disposal of human remains and any soluble material in which the remains are wrapped in a chamber using hot water and potassium hydroxide (with or without the addition of sodium hydroxide) and includes—

(a) where a grinding process is applied to the solid remains after being removed from the chamber, that process, and

(b) where any other process is applied to those remains, that other process.

PART 2

Modification of the Burial and Cremation (Scotland) Act 2016

Application of Part 2 of the Burial and Cremation (Scotland) Act 2016 to hydrolysis

2. The provisions in Part 2 of the Act apply, in relation to the disposal of human remains by hydrolysis, as if they were subject to the modifications specified in schedule 1.

Amendments to the Burial and Cremation (Scotland) Act 2016

3. The Act is amended in accordance with schedule 2.

PART 3

Miscellaneous consequential amendments

Amendment to the Anatomy Act 1984

4. In section 4B(1) (lawful examinations: additional provision) of the Anatomy Act 1984(**a**), for "or cremation" substitute ", cremation or hydrolysis (within the meaning given by section 107 of the Burial and Cremation (Scotland) Act 2016)".

Amendment to the Public Health etc. (Scotland) Act 2008

5. In the Public Health etc. (Scotland) Act 2008(**b**)—

(a) in section 86A(5)(c) (public health protection regulations), for "or cremation" substitute ", cremation or hydrolysis",

(b) in section 86G(4)(e) (special restrictions and requirements), for "or cremated" substitute ", cremated or hydrolysed",

(c) in section 90(8) (restriction on release of infected etc. bodies from hospital)—

(i) in paragraph (a), for "or cremation", substitute ", cremation or hydrolysis",

(ii) in paragraph (b), for "or cremation", substitute ", cremation or hydrolysis",

(d) in section 124 (interpretation), after the definition of "hospital" insert—

""hydrolysis" has the meaning given in section 107 of the Burial and Cremation (Scotland) Act 2016(**c**); and "hydrolysed" is to be construed accordingly,".

(**a**) 1984 c. 14. Section 4B was inserted by section 53(6) of the Human Tissue (Scotland) Act 2006 (asp 4).

(**b**) 2008 asp 5. Sections 86A and 86G were inserted by section 1 of the Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8).

(**c**) 2016 asp 20, as amended by S.S.I. 2026/XXX.

Amendment to the Certification of Death (Scotland) Act 2011

6. In the Certification of Death (Scotland) Act 2011(**a**)—

(a) in section 14(1)(b) (power to require documents), after "cremate" insert "or hydrolyse",

(b) in section 18 (medical reviewers to authorise cremation)—

(i) in subsection (1)(b), after "cremated" insert "or hydrolysed",

(ii) in subsection (2)—

(aa) after "cremation" insert "or hydrolysis",

(bb) after "cremated" insert "or hydrolysed",

(iii) in subsection (3)—

(aa) after "cremated" insert "or hydrolysed",

(bb) after "cremation" insert "or hydrolysis",

(iv) in subsection (4)(c), after "cremation" insert "or hydrolysis",

(v) the title of the section becomes "medical reviewers to authorise cremation or hydrolysis",

(c) in section 31 (interpretation), after the definition of "health record" insert—

""hydrolysis" has the meaning given in section 107 of the Burial and Cremation (Scotland) Act 2016(**b**); and "hydrolysed" is to be construed accordingly,".

Amendment to the City of Edinburgh District Council Order Confirmation Act 1991

7. In the provisional order contained in the schedule of the City of Edinburgh District Council Order Confirmation Act 1991(**c**), sections 8 to 10 (cemeteries and crematoria) are repealed.

Amendment to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

8. In paragraph (5)(a) of schedule 3 (classes of development – regulations 20(2)(c) and 41(1)(b)) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013(**d**), after "crematorium" insert ", a hydrolysis facility (which has the meaning given in section 107 of the Burial and Cremation (Scotland) Act 2016(**e**))".

Amendment to the Certification of Death (Scotland) Act 2011 (Authorisation of Cremation – Death Outwith Scotland) Regulations 2015

9.—(1) The Certification of Death (Scotland) Act 2011 (Authorisation of Cremation – Death Outwith Scotland) Regulations 2015(**f**) ("2015 Regulations") are amended in accordance with paragraphs (2) to (4).

(2) In regulation 4 (procedure for determination), after "cremate" insert "or hydrolyse".

(3) In regulation 5 (form of certificate under section 18(3) of the Act), after "cremate" insert "or hydrolyse".

(4) In the schedule, for Form Y and Form Z, substitute Form Y and Form Z contained in schedule 3 of these Regulations.

(**a**) 2011 asp 11.
(**b**) 2016 asp 20, as amended by S.S.I. 2026/XXX.
(**c**) 1991 c. xix.
(**d**) S.S.I. 2013/155, to which there are amendments not relevant to these Regulations.
(**e**) 2016 asp 20, as amended by S.S.I. 2026/XXX.
(**f**) S.S.I. 2015/162.

(5) Despite the amendments made by these Regulations, a Form Y or Form Z that is completed by a medical reviewer in accordance with the 2015 Regulations prior to 2 March 2026 may accompany an application for cremation made on or after that date.

Amendment to the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015

10.—(1) The Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015(**a**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 5(a)(ii) (requirement for disposal of a body in Scotland where death occurs in Northern Ireland) for "authorising the burial or cremation of the body" substitute "of authorisation".

(3) In regulation 6(b) (requirements for disposal of a body in Scotland where death occurs outwith the United Kingdom)—

(a) after "cremation" insert "or hydrolysis",

(b) after "cremated" insert "or hydrolysed (within the meaning given by section 107 of the Burial and Cremation (Scotland) Act 2016(**b**))".

(4) After regulation 8 insert—

> **"Requirements for disposal of a body in Scotland where death investigated by procurator fiscal**
>
> **9.** Where the death of a person has been investigated by the procurator fiscal, a certificate in the form of Form E1 set out in schedule 2, confirming that the remains of the deceased may be destroyed, is specified for the purpose of section 27A(2)(a) of the 1965 Act for the disposal of the remains of that person by cremation or hydrolysis.".

(5) The schedule becomes schedule 1.

(6) After schedule 1 insert schedule 2 as set out in schedule 4 of these Regulations.

(7) Despite the amendments made by these Regulations, a Form E1 (set out in schedule 8 of the Cremation (Scotland) Regulations 2019(**c**)) that is completed prior to 2 March 2026 may accompany an application for cremation made on or after that date.

Amendment to the Burial and Cremation (Pregnancy Loss Prescribed Information and Forms) (Scotland) Regulations 2018

11.—(1) The Burial and Cremation (Pregnancy Loss Prescribed Information and Forms) (Scotland) Regulations 2018(**d**) are amended in accordance with paragraphs (2) to (13).

(2) In regulation 2 (pregnancy to be terminated after 24 weeks: prescribed information for section 69(4))—

(a) in paragraph (2)(g) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (2)(h) for "or cremated", substitute ", cremated or hydrolysed",

(c) in paragraph (3)(a) for "or cremated", substitute ", cremated or hydrolysed".

(3) In regulation 3 (no arrangements under section 69: prescribed information for section 71(6))—

(a) in paragraph (2)(g) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (2)(h) for "or cremated", substitute ", cremated or hydrolysed",

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(**a**) S.S.I. 2015/166, as amended by S.S.I. 2024/281.
(**b**) 2016 asp 20, as amended by S.S.I. 2026/XXX.
(**c**) S.S.I. 2019/36, to which there are amendments not relevant to these Regulations, but see regulation 12 of these Regulations.
(**d**) S.S.I. 2018/384.

(c) in paragraph (2)(i) for "or cremated", substitute ", cremated or hydrolysed",

(d) in paragraph (3)(a) for "or cremated", substitute ", cremated or hydrolysed".

(4) In regulation 4 (still-birth likely to occur: prescribed information for section 72(4))—

(a) in paragraph (2)(g) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (2)(h) for "or cremated", substitute ", cremated or hydrolysed",

(c) in paragraph (3)(a) for "or cremated", substitute ", cremated or hydrolysed".

(5) In regulation 5 (no arrangements under section 72: prescribed information for section 74(6))—

(a) in paragraph (2)(g) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (2)(h) for "or cremated", substitute ", cremated or hydrolysed",

(c) in paragraph (2)(i) for "or cremated", substitute ", cremated or hydrolysed",

(d) in paragraph (2)(j) for "or cremated", substitute ", cremated or hydrolysed",

(e) in paragraph (3) for "or cremated", substitute ", cremated or hydrolysed".

(6) In regulation 7 (pregnancy likely to end on or before 24th week: prescribed information for section 77(2))—

(a) in paragraph (2)(g) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (2)(h) for "or cremated", substitute ", cremated or hydrolysed",

(c) in paragraph (2)(i) for "or cremated", substitute ", cremated or hydrolysed",

(d) in paragraph (3)(a) for "or cremated", substitute ", cremated or hydrolysed".

(7) In regulation 8 (pregnancy ends before or on completion of 24th week: arrangements)—

(a) in paragraph (1) for "or cremated" in both places where it occurs, substitute ", cremated or hydrolysed",

(b) in paragraph (2)(a) for "or cremated", substitute ", cremated or hydrolysed",

(c) in paragraph (2)(b) for "or cremated", substitute ", cremated or hydrolysed",

(d) in paragraph (4) for "or cremated", substitute ", cremated or hydrolysed".

(8) In regulation 9 (pregnancy ends before or on completion of 24th week: individual authorised to make arrangements)—

(a) in paragraph (1) for "or cremated", substitute ", cremated or hydrolysed",

(b) in paragraph (3) for "or cremated", substitute ", cremated or hydrolysed".

(9) In regulation 10 (pregnancy losses: health authority register)—

(a) in paragraph (2) for "or cremated", substitute ", cremated or hydrolysed",

(b) in the heading for column 1 in the table in paragraph (2), for "or cremation", substitute ", cremation or hydrolysis",

(c) in paragraph (3) for "or cremated", substitute ", cremated or hydrolysed",

(d) in the heading for column 1 in the table in paragraph (3), for "or cremation", substitute ", cremation or hydrolysis".

(10) In schedule 1 for form 1 substitute the form 1 in schedule 5 of these Regulations.

(11) In schedule 2 for form 2 substitute the form 2 in schedule 6 of these Regulations.

(12) In schedule 3 for form 3 substitute the form 3 in schedule 7 of these Regulations.

(13) For schedule 4 substitute the schedule 4 in schedule 8 of these Regulations.

Amendment to the Cremation (Scotland) Regulations 2019

12. In the Cremation (Scotland) Regulations 2019(**a**), omit regulation 9 (deaths investigated by the procurator fiscal: requirements for cremation) and schedule 8 (death investigated by procurator fiscal – Form E1).

Amendment to the Funeral Expense Assistance (Scotland) Regulations 2019

13.—(1) The Funeral Expense Assistance (Scotland) Regulations 2019(**b**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation)—

(a) omit the definition of "disposal by way of alkaline hydrolysis",

(b) in the definition of "funeral" omit "disposal by way of alkaline",

(c) after the definition of "funeral" insert—

""hydrolysis" has the meaning given by section 107 of the Burial and Cremation (Scotland) Act 2016(**c**),",

(d) for the definition of "powder" substitute—

""powder" has the meaning given by section 107 of the Burial and Cremation (Scotland) Act 2016,".

(3) In regulation 13 (amount of funeral expense assistance)—

(a) in paragraph (2)(a) omit "disposal by way of alkaline",

(b) in paragraph (4A)—

(i) for "the disposal by way of alkaline" substitute "a",

(ii) for "disposals by way of alkaline hydrolysis in the area where the disposal" substitute "hydrolyses in the area where the hydrolysis".

Amendment to the Burial (Applications and Register) (Scotland) Regulations 2024

14. In schedule 8 (burial register) of the Burial (Applications and Register) (Scotland) Regulations 2024(**d**)—

(a) in section B of Part 1 (information where burial is of an adult or child) for "ashes internment" substitute "ashes or powder interment",

(b) in section B of Part 2 (information relating to a burial of body parts), for "or cremation" substitute ", cremation or hydrolysis".

Amendment to the Burial (Management) (Scotland) Regulations 2025

15. In regulation 2(4)(b) (burial management plans) of the Burial (Management) (Scotland) Regulations 2025(**e**)—

(a) in head (i) for "and ashes" substitute ", ashes and powder",

(b) in head (ii) after "ashes" insert "or powder".

Amendment to the Burial and Cremation (Inspection) (Scotland) Regulations 2025

16.—(1) The Burial and Cremation (Inspection) (Scotland) Regulations 2025(**f**) are amended in accordance with paragraphs (2) and (3).

(**a**) S.S.I. 2019/36, to which there are amendments not relevant to these Regulations.
(**b**) S.S.I. 2019/292, relevantly amended by S.S.I. 2024/363.
(**c**) 2016 asp 20, as amended by S.S.I. 2026/XXX.
(**d**) S.S.I. 2024/334, to which there are amendments not relevant to these Regulations.
(**e**) S.S.I. 2025/45.
(**f**) S.S.I. 2025/46.

(2) In regulation 2 (interpretation), in the definition of "relevant body", after "cremation authority" insert ", a hydrolysis authority".

(3) In regulation 3 (meaning of relevant legislation and requirements), after paragraph (d) insert—

"(e) the Hydrolysis (Scotland) (No. 1) Regulations 2026(**a**),

(f) the Hydrolysis (Scotland) (No. 2) Regulations 2026(**b**).".

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

(**a**) S.S.I. 2026/XXX.
(**b**) S.S.I. 2026/XXX.

SCHEDULE 1

Regulation 2

Application of the Burial and Cremation (Scotland) Act 2016 in relation to hydrolysis

Modifications to Part 2 of the Burial and Cremation (Scotland) Act 2016

1. Part 2 of the Act is to be read as if it were subject to the modifications specified in this schedule in relation to the disposal of human remains by hydrolysis.

Omission of section 45

2. Section 45 (meaning of "cremation" and "ashes") is omitted.

Provision of hydrolysis facility: local authority

3. In section 46 (provision of crematorium: local authority)—

(a) in subsection (1), for "crematorium" in both places where it occurs, substitute "hydrolysis facility",

(b) in subsection (2)—

(i) for "crematorium" substitute "hydrolysis facility",

(ii) for "cremations" substitute "hydrolysis",

(c) in the heading, for "crematorium" substitute "hydrolysis facility".

Hydrolysis authority: duties

4. In section 47 (cremation authority: duties)—

(a) in subsection (1)—

(i) for "crematoriums" in both places where it occurs, substitute "hydrolysis facilities",

(ii) for "cremations" substitute "hydrolysis",

(iii) for "cremation" substitute "hydrolysis",

(b) in subsections (2) and (3), for "cremation" in both places where it occurs, substitute "hydrolysis",

(c) in subsection (5)—

(i) for "cremation" substitute "hydrolysis",

(ii) for "crematorium" in both places where it occurs, substitute "hydrolysis facility",

(d) in the heading, for "Cremation" substitute "Hydrolysis".

Application for hydrolysis

5. In section 48 (application for cremation)—

(a) in subsection (1)—

(i) for "cremation" in both places where it occurs, substitute "hydrolysis",

(ii) for "crematorium" in both places where it occurs, substitute "hydrolysis facility",

(b) in subsection (4)(f), for "cremation" substitute "hydrolysis",

(c) in the heading, for "cremation" substitute "hydrolysis".

Requirements for carrying out hydrolysis

6. In section 50 (requirements for carrying out cremation)—

(a) in subsection (1)—

(i) for "cremation" in each place where it occurs, substitute "hydrolysis",

(ii) for "crematorium" substitute "hydrolysis facility",

(b) omit subsection (4),

(c) in the heading, for "cremation" substitute "hydrolysis".

Duty of hydrolysis authority before carrying out hydrolysis

7. In section 51 (duty of cremation authority before carrying out cremation)—

(a) in subsection (1), for "cremation" in each place where it occurs, substitute "hydrolysis",

(b) in subsection (2)—

(i) for "cremation" in each place where it occurs, substitute "hydrolysis",

(ii) for "ashes" substitute "powder",

(c) in subsection (3)—

(i) for "ashes" in each place where it occurs, substitute "powder",

(ii) for "cremation" in each place where it occurs substitute "hydrolysis",

(d) in the heading, for "cremation" in both places where it occurs, substitute "hydrolysis".

Duty of hydrolysis authority following hydrolysis

8. In section 52 (duty of cremation authority following cremation)—

(a) in subsection (1), for "cremation" in both places where it occurs, substitute "hydrolysis",

(b) in subsections (2) to (4)—

(i) for "cremation" in each place where it occurs, substitute "hydrolysis",

(ii) for "ashes" in each place where it occurs, substitute "powder",

(c) in subsection (5), for "cremation" in both places where it occurs, substitute "hydrolysis",

(d) in the heading, for "cremation" in both places where it occurs, substitute "hydrolysis".

Failure to collect powder

9. In section 53 (failure to collect ashes)—

(a) in subsections (1) to (6)—

(i) for "cremation" in each place where it occurs, substitute "hydrolysis",

(ii) for "ashes" in each place where it occurs, substitute "powder",

(b) in the heading, for "ashes" substitute "powder".

Power of funeral director in relation to powder

10. In section 54 (power of funeral director in relation to ashes)—

(a) in subsections (1) and (2)—

(i) for "ashes" in each place where it occurs, substitute "powder",

(ii) for "cremation" in both places where it occurs, substitute "hydrolysis",

(b) in subsection (3), for "ashes" in both places where it occurs, substitute "powder",

(c) in subsections (4) to (6)—

(i) for "ashes" in each place where it occurs, substitute "powder",

(ii) for “cremation” in each where place it occurs, substitute “hydrolysis”,

(d) in the heading, for “ashes” substitute “powder”.

Duties of hydrolysis authority where powder returned

11. In section 55 (duties of cremation authority where ashes returned)—

(a) in subsections (1) to (5)—

(i) for “ashes” in each place where it occurs, substitute “powder”,

(ii) for “cremation” in each place where it occurs, substitute “hydrolysis”,

(b) in the heading—

(i) for “cremation” substitute “hydrolysis”,

(ii) for “ashes” substitute “powder”.

Handling of powder: regulations

12. In section 56 (handling of ashes: regulations)—

(a) in subsections (1) and (2)—

(i) for “ashes” in each place where it occurs, substitute “powder”,

(ii) for “cremation” in each place where it occurs, substitute “hydrolysis”,

(b) in the heading, for “ashes” substitute “powder”.

Hydrolysis register

13. In section 57 (cremation register)—

(a) in subsection (1)—

(i) for “cremation” in each place where it occurs, substitute “hydrolysis”,

(ii) for “crematorium” in both places where it occurs, substitute “hydrolysis facility”,

(iii) for “cremations” substitute “hydrolyses”,

(b) in subsections (2) to (6) for “cremation” in each place where it occurs, substitute “hydrolysis”,

(c) in the heading, for “Cremation” substitute “Hydrolysis”.

Hydrolysis register: offence

14. In section 58 (cremation register: offence)—

(a) in subsection (1)—

(i) for “cremation” in both places where it occurs, substitute “hydrolysis”,

(ii) after “register” insert “(which has the meaning given in section 57(1))”,

(b) in subsection (2) for “cremation” substitute “hydrolysis”,

(c) in the heading, for “Cremation” substitute “Hydrolysis”.

New hydrolysis facility: notice

15. Section 59 (new crematorium: notice)—

(a) in subsection (1), for “crematorium” substitute “hydrolysis facility”,

(b) in subsection (2)—

(i) for “cremation” in both places where it occurs, substitute “hydrolysis”,

(ii) for “crematorium” substitute “hydrolysis facility”,

(c) in subsection (4), for "cremation" substitute "hydrolysis",

(d) in the heading, for "crematorium" substitute "hydrolysis facility".

Closure of hydrolysis facility

16. In section 61 (closure of crematorium)—

(a) in subsection (1)—

(i) for "crematorium" in each place where it occurs, substitute "hydrolysis facility",

(ii) for "cremation" in both places where it occurs, substitute "hydrolysis",

(b) in subsection (2), for "crematorium" in both places where it occurs, substitute "hydrolysis facility",

(c) in subsection (3), for "crematoriums" substitute "hydrolysis facilities",

(d) in subsection (4)—

(i) for "cremation" in both places where it occurs, substitute "hydrolysis",

(ii) for "crematorium" substitute "hydrolysis facility",

(e) in the heading, for "crematorium" substitute "hydrolysis facility".

Closure of hydrolysis facility: offence

17. In section 62 (section 61: offence), for "cremation" in both places where it occurs, substitute "hydrolysis".

Fees for hydrolysis and other services

18. In section 63 (fees for cremation and other services)—

(a) in subsection (1)—

(i) for "cremation" substitute "hydrolysis",

(ii) for "crematorium" substitute "hydrolysis facility",

(b) in subsection (2)—

(i) for "cremation" in each place where it occurs, substitute "hydrolysis",

(ii) for "crematorium" substitute "hydrolysis facility",

(c) in subsections (3) to (5) for "cremation", in each place where it occurs, substitute "hydrolysis",

(d) in the heading, for "cremation" substitute "hydrolysis".

Hydrolysis authority: code of practice

19. In section 64 (cremation authority: code of practice)—

(a) in subsection (1)—

(i) for "cremation" in both places where it occurs, substitute "hydrolysis",

(ii) for "crematorium" substitute "hydrolysis facility",

(b) in subsections (2) to (7), for "cremation" in each place where it occurs, substitute "hydrolysis",

(c) in the heading, for "Cremation" substitute "Hydrolysis".

SCHEDULE 2

Regulation 3

Amendment of the Burial and Cremation (Scotland) Act 2016

1.—(1) The Burial and Cremation (Scotland) Act 2016 is amended as follows.

(2) In section 22(6) (private burial), in the definition of "human remains", for paragraph (a) substitute—

"(a) ashes,

(aa) powder,".

(3) In section 65 (arrangements on death of adult)—

(a) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection 7(b), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (8), in the definition of "arrangements on death declaration" for "or cremation" substitute ", cremation, or hydrolysis".

(4) In section 66 (arrangements on death of child)—

(a) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (6)(b), for "or cremated" substitute ", cremated or hydrolysed".

(5) In section 67 (arrangements under sections 65 and 66)—

(a) in subsection (1), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (3)(a), for "or cremation" substitute ", cremation or hydrolysis".

(6) In section 68(1) (sections 65 and 66: application to sheriff), for "or cremation" substitute ", cremation or hydrolysis".

(7) In section 69 (arrangements on termination of pregnancy after 24 weeks)—

(a) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed".

(8) In section 70 (section 69: health body authorised to make arrangements)—

(a) in subsection (1)(b), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed".

(9) In section 71 (section 69: no arrangements)—

(a) in subsection (1)(b), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed",

(d) in subsection (4)(a), for "or cremated" substitute ", cremated or hydrolysed",

(e) in subsection (5), for "or cremated" substitute ", cremated or hydrolysed".

(10) In section 72 (duty of health body where still-birth likely to occur)—

(a) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed".

(11) In section 73 (section 72: health body authorised to make arrangements)—

(a) in subsection (1)(b), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed".

(12) In section 74 (arrangements on still-birth)—

(a) in subsection (1)(b), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (4)—

(i) in paragraph (a), for "or cremated" substitute ", cremated or hydrolysed",

(ii) in paragraph (b), for "or cremated" substitute ", cremated or hydrolysed",

(d) in subsection (5), for "or cremated" substitute ", cremated or hydrolysed",

(e) in subsection (9)(b), for "or cremated" substitute ", cremated or hydrolysed".

(13) In section 75 (section 74: power of appropriate health body)—

(a) in subsection (1), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremation" substitute ", cremation or hydrolysis",

(d) in subsection (5)(a), for "or cremated" substitute ", cremated or hydrolysed".

(14) In section 76 (section 74: general power of appropriate health body)—

(a) in subsection (1), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2), for "or cremated" substitute ", cremated or hydrolysed".

(15) In section 77 (duty of health body where pregnancy loss likely to occur)—

(a) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed".

(16) In section 78 (section 77: health body authorised to make arrangements)—

(a) in subsection (1)(d), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed".

(17) In section 79 (arrangements on pregnancy loss on or before 24 weeks)—

(a) in subsection (1)(d), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed".

(18) In section 80 (change in arrangements)—

(a) in subsection (1)(b), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed".

(19) In section 81 (individual authorised to make arrangements)—

(a) in subsection (1), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)—

(i) in paragraph (a), for "or cremated" substitute ", cremated or hydrolysed",

(ii) in paragraph (b), for "or cremated" substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed",

(d) in subsection (4), for "or cremated" substitute ", cremated or hydrolysed",

(e) in subsection 6(b)(i), for "or cremated" substitute ", cremated or hydrolysed".

(20) In section 82 (duty to transfer remains)—

(a) in subsection (1), for "or cremation" substitute ", cremation or hydrolysis",

(b) in subsection (3), for "or cremation" substitute ", cremation or hydrolysis".

(21) In section 83 (appropriate health authority authorised to make arrangements)—

(a) in subsection (1), for "or cremated" substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated", substitute ", cremated or hydrolysed,

(c) in subsection (5)(a) for "or cremated", substitute ", cremated or hydrolysed.

(22) In section 84 (duty of appropriate health authority)—

(a) in subsection (1)(c), for "or cremated", substitute ", cremated or hydrolysed",

(b) in subsection (2)(a), for "or cremated", substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremated" substitute ", cremated or hydrolysed",

(d) in subsection (5)(a) for "or cremated", substitute ", cremated or hydrolysed",

(e) in subsection (6)(a), for "or cremated", substitute ", cremated or hydrolysed",

(f) in subsection (7)(a), for "or cremated", substitute ", cremated or hydrolysed",

(g) in subsection (8), for "or cremated", substitute ", cremated or hydrolysed".

(23) In subsection 85(1)(a) (duty to keep register), for "or cremation" substitute ", cremation or hydrolysis".

(24) In section 87 (burial or cremation: duty of local authority)—

(a) in subsection (1)(b), for "or cremated", substitute ", cremated or hydrolysed",

(b) in subsection (2), for "or cremated", substitute ", cremated or hydrolysed",

(c) in subsection (3), for "or cremated", substitute ", cremated or hydrolysed",

(d) in subsection (4), for "or cremated", substitute ", cremated or hydrolysed",

(e) the title of the section becomes "Burial, cremation or hydrolysis: duty of local authority".

(25) In section 89(1) (appointment of inspectors), after paragraph (b) insert—

"(ba) inspectors of hydrolysis,".

(26) In section 90 (inspections: regulations)—

(a) in subsection (1), after paragraph (b) insert—

"(ba) the carrying out of inspections of hydrolysis facilities and hydrolysis authorities by inspectors of hydrolysis so appointed,",

(b) in subsection (2) after "cremation authorities" insert ", hydrolysis authorities".

(27) In section 91(1)(a) (power of entry and inspection), after sub-paragraph (ii) insert—

"(iia) a hydrolysis authority,".

(28) In section 93(4)(b)(i) (reports) after "cremation authorities," insert "hydrolysis authorities,".

(29) In section 98(3) (guidance on funeral costs), after paragraph (b) insert—

"(ba) hydrolysis authorities,".

(30) In subsection 100(2)(d), for "or cremation" substitute ", cremation or hydrolysis".

(31) In section 104 (regulations: consultation requirements)—

(a) in subsection (3), after paragraph (b) insert—

"(ba) hydrolysis authorities,",

(b) in subsection (4), for paragraph (a) substitute—

"(a) either (or both)—

(i) cremation authorities (if the regulations relate to cremation),

(ii) hydrolysis authorities (if the regulations relate to hydrolysis),",

(c) in subsection (5), after paragraph (b) insert—

"(ba) hydrolysis authorities,".

(32) In section 107 (interpretation)—

(a) after the definition of "Health Board" insert—

""hydrolysis" means the disposal of human remains and any soluble material in which the remains are wrapped in a chamber using hot water and potassium hydroxide (with or without the addition of sodium hydroxide) and includes—

(a) where a grinding process is applied to the solid remains after being removed from the chamber, that process, and

(b) where any other process is applied to those remains, that other process; and "hydrolysed" is to be construed accordingly,

"hydrolysis authority" in relation to a hydrolysis facility, means the person having responsibility for the management of the hydrolysis facility,

"hydrolysis facility" means a building fitted with equipment for the carrying out of hydrolysis; and includes land (other than a burial ground) pertaining to such a building,",

(b) after the definition of "inspector of cremation" insert—

""inspector of hydrolysis" means an inspector of hydrolysis appointed under section 89(1),

"powder" means the solid material (other than any metal) to which human remains are reduced by hydrolysis,".

SCHEDULE 3

Regulation 9(4)

CERTIFICATION OF DEATH – NEW FORMS Y AND Z

Form Y

Application under section 18(2) of the Certification of Death (Scotland) Act 2011

Section 1: the applicant

Full name of applicant:	
Date of birth of applicant:	
Address of applicant:	
Contact details (Tel No/E-mail):	
Are you the person arranging the funeral?	**Yes/No (please delete as applicable)**
Do you have charge of the place where the funeral is taking place?	**Yes/No (please delete as applicable)**
Date:	

Section 2: Deceased details

Name of deceased:	
Date of death (or found dead):	
Date of birth of deceased:	
Country in which death occurred:	
Place of death:	

Section 3: Disposal arrangements

Is the deceased to be cremated/hydrolysed in Scotland?	**Yes/No (please delete as applicable)**
Where is the funeral to take place?	
Date of funeral (if known at time of making application)	
Do you wish to apply for post-mortem (if no cause of death)?	**Yes/No (please delete as applicable)**

Section 4: Paperwork enclosed (please tick which applies):

Medical Certificate of Cause of Death (MCCD)/certificate of death in the country in which death occurred (or a copy of the original is not available)	

Certificate of Registration of Death issued in the country in which death occurred (or a copy if the original is not available)	
Passport/other ID of deceased	
Hospital/health records	
Insurance company paperwork	
Police report	
Relevant application form under the Cremation (Scotland) Regulations 2019 or the Hydrolysis (Scotland) (No. 2) Regulations 2026	
Other relevant information e.g. certificate declaring that death is not suspicious	

Form Z

Certificate of authorisation issued under section 18 of the Certification of Death (Scotland) Act 2011

Under section 18 of the Certification of Death (Scotland) Act 2011, the medical reviewer hereby certifies that it is safe to cremate or hydrolyse the body:

Cremation/hydrolysis [**please delete as applicable**] of the late [insert name] at [insert crematorium/hydrolysis facility]

Part A : the deceased

Name of deceased:	
Date of death (or found dead):	
Date of birth of deceased:	
Country in which death occurred:	

Part B: Medical reviewer notes

Part C: Hazards

To the best of my knowledge and belief:

1. 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
2. Is there a cardiac pacemaker or any other potentially explosive device currently present in the deceased?	Yes/No

3. Is there radioactive material or other hazardous implant currently present in the deceased?	Yes/No

[The hazard questions above (no. 1-3) must be completed. The medical reviewer should specifically outline any known hazards or reasons that the body cannot be cremated or hydrolysed]

I hereby certify that to the best of my knowledge and belief the information contained on this certificate is correct and complete.

[insert name]
Medical Reviewer
Healthcare Improvement Scotland

SCHEDULE 4 Regulation 10(6)

DEATH INVESTIGATED BY PROCURATOR FISCAL – FORM E1

"SCHEDULE 2 Regulation 9

DEATH INVESTIGATED BY PROCURATOR FISCAL – FORM E1

FORM E1

SECTION 27A OF THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (SCOTLAND) ACT 1965

AUTHORISATION FOR DESTRUCTION OF REMAINS FOLLOWING INVESTIGATION BY THE PROCURATOR FISCAL

I certify that I have made such investigation into the death of—

[insert name], date of birth [insert date of birth] ("the deceased")

as has satisfied me that the death took place at [address] on[date] at [time] and that the cause of death was [insert cause of death]

and that there are no circumstances which would render necessary any further examination of the remains of the deceased. I permit the destruction of remains of the deceased.

Authorised by (print name)

Signature

Business address

Date of signature

"

SCHEDULE 5 Regulation 11(10)

PREGNANCY LOSS PRESCRIBED INFORMATION – NEW FORM 1

Form 1

Addressograph Label

Authorisation for the burial, cremation or hydrolysis of a stillborn baby which may take place within 7 days
To be completed by the nearest relative

Hospital options are:
(Hospital to insert options here)

You should complete this form after you have spoken to your designated contact who will explain the options available to you in your area. These options are set out in the box above.

I ..... (name of nearest relative) ..... (relationship to baby) authorise the hospital to make the arrangements. Please circle your chosen option in the box above.

The hospital will not normally arrange the burial, cremation or hydrolysis to take place before 7 days, in case you wish to change your decision. If you have no objection to the burial, cremation or hydrolysis taking place before 7 days, please tick the box below.

☐ I authorise the hospital to arrange the burial, cremation or hydrolysis before 7 days (where possible) and I understand that by doing so I may not be able to change my decision.

Ashes

Crematorium staff will make every effort to recover ashes. If ashes are not recovered, the Inspector of Cremation will investigate the reasons for this. You can instruct what happens to the ashes that are recovered.

Powder

Hydrolysis facility staff will make every effort to recover powder. Powder is like ashes; it is the solid remains at the end of the hydrolysis process. If powder is not recovered, the Inspector of Hydrolysis will investigate the reasons for this. You can instruct what happens to the powder that is recovered.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Your signature..... Date.....

Witness Name [BLOCK CAPITALS]..... Job Title.....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

Notes:

This form should be completed by the nearest relative, when authorising the hospital to arrange the burial, cremation or hydrolysis of a stillborn baby which may take place within 7 days.

The hierarchy of nearest relatives who can authorise the hospital to make the arrangements is set out below:

- the stillborn baby's parent
- the stillborn baby's brother or sister (16 years or older)
- the stillborn baby's grandparent
- the stillborn baby's uncle or aunt (16 years or older)
- the stillborn baby's cousin (16 years or older)
- the stillborn baby's niece or nephew (16 years or older)

SCHEDULE 6 Regulation 11(11)

PREGNANCY LOSS PRESCRIBED INFORMATION – NEW FORM 2

Form 2

Addressograph Label

Authorisation for burial, cremation or hydrolysis following pregnancy loss

This form is used to record your wishes. You do not have to make a decision straight away, you can take time to consider the option that is best for you. When you come to a decision please complete **Section A**.

If you do not wish to discuss the options and wish to authorise the hospital to make the arrangements of your behalf, please proceed to **section B**.

Section C of this form is completed if you change your decision.

Section D of this form is completed where you authorise the hospital to arrange the burial, cremation or hydrolysis within 7 days (where possible).

Section E of this form is completed if you do not inform the hospital of your decision.

Help and support

If you have any questions about the option you have chosen or any other part of the process, for example the date on which the burial, cremation or hydrolysis will take place, please ask your designated contact or call the telephone number below.
Contact telephone number _____

Ashes
For shared or individual cremation, crematorium staff will make every effort to recover ashes. If ashes are not recovered, an Inspector of Cremation will investigate the reasons for this.

If you choose shared cremation, individual ashes will not be available for collection. Shared ashes will be buried or scattered in line with the crematorium's standard procedure.

If you choose individual cremation, you can instruct what happens to the individual ashes that are recovered.

Powder
For shared or individual hydrolysis, hydrolysis facility staff will make every effort to recover powder. If powder is not recovered, an Inspector of Hydrolysis will investigate the reasons for this.

If you choose shared hydrolysis, individual powder will not be available for collection. Shared powder will be buried or scattered in line with the hydrolysis facilities' standard procedure.

Form 2

If you choose individual hydrolysis, you can instruct what happens to the individual powder that is recovered.

Section A – Your wishes for burial, cremation or hydrolysis

Hospital to list available options here, including the option to make own arrangements and a description of the hospital's standard procedure.

☐ **Hospital staff have explained the options to me and I understand the options available.**

Please circle your chosen option in the box above.

Making your own arrangements

If you are making your own arrangements but are not taking your pregnancy loss with you straight away please contact the hospital as soon as you have made the arrangements. If you have not contacted the hospital within 6 weeks following your pregnancy loss, or if you have informed the hospital of your arrangements but your pregnancy loss has not been collected within the 6 weeks, the hospital may make arrangements for burial, cremation or hydrolysis of your pregnancy loss in line with the hospital's standard procedure.

Authorised individual

If you would like to authorise someone else who is 16 years or older to make the arrangements on your behalf please provide their name and contact details below. If you would like to specify burial, cremation, hydrolysis or that the hospital decides on the arrangements, please write your wishes in the box below:

Name of individual [BLOCK CAPITALS] ……
Address and postcode of individual [BLOCK CAPITALS] ……
Relationship to you: …… Contact details for individual: ……

Form 2

Hospital Examination

If you have given authorisation for the hospital to examine your pregnancy loss, there is a possibility that there will be no tissue left for burial, cremation or hydrolysis following examination.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

If, after discussing the options, you would like more time to consider your decision, please tick the box below.

☐ I would like more time to consider my decision.

Please contact the hospital on the number below as soon as you have reached a decision.
Hospital telephone number:_____

Section B - Decline to discuss

☐ I have declined to discuss this matter and understand that the hospital will proceed according to its standard procedure.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title .....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

Section C – Changing your decision

Please record your new decision in the box below.

Form 2

Making your own arrangements

If you are making your own arrangements but are not taking your pregnancy loss with you straight away please contact the hospital as soon as you have made the arrangements. If you have not contacted the hospital within 6 weeks following your pregnancy loss, or if you have informed the hospital of your arrangements but your pregnancy loss has not been collected within the 6 weeks, the hospital may make arrangements for burial, cremation or hydrolysis of your pregnancy loss in line with the hospital's standard procedure.

Authorised individual

If you would like to authorise someone else who is 16 years or older to make the arrangements on your behalf please provide their name and contact details below. If you would like to specify burial, cremation, hydrolysis or that the hospital decides on the arrangements, please write your wishes in the box below:

Name of individual [BLOCK CAPITALS] ……
Address and postcode of individual [BLOCK CAPITALS] .....
Relationship to you: …… Contact details for individual: ……

Hospital Examination

If you have given consent for the hospital to examine your pregnancy loss there is a possibility that there will be no tissue left for burial, cremation or hydrolysis following examination.

Signature (secure the patient's signature where possible)

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

Form 2

Section D - Date of burial, cremation or hydrolysis

The hospital will not normally arrange the burial, cremation or hydrolysis to take place before 7 days, in case you wish to change your decision. If you have no objection to the burial, cremation or hydrolysis taking place before 7 days, please tick the box below.

☐ I authorise the hospital to arrange the burial, cremation or hydrolysis before 7 days (where possible) and I understand that by doing so I may not be able to change my decision.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

Section E – Where no decision has been made

Where the hospital has not been informed of a decision, the hospital should record that fact in the box below and, where possible, secure the patient's signature.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS] .....
Witness signature ..... Date.....

SCHEDULE 7 Regulation 11(12)

PREGNANCY LOSS PRESCRIBED INFORMATION – NEW FORM 3

Form 3

Addressograph Label

Authorisation for burial, cremation or hydrolysis following pregnancy loss
To be completed by the authorised individual

This form is used to record your wishes. When you come to a decision please complete **Section A**.

Section B of this form is completed where you authorise the hospital to arrange the burial, cremation or hydrolysis within 7 days (where possible).

Section C of this form is completed if you do not inform the hospital of your decision.

Help and support

If you have any questions about the option you have chosen or any other part of the process, for example the date on which the burial, cremation or hydrolysis will take place, please ask your designated contact or call the telephone number below.
Contact telephone number _____

Ashes

For shared or individual cremation, crematorium staff will make every effort to recover ashes. If ashes are not recovered, the Inspector of Cremation will investigate the reasons for this.

If you choose shared cremation, individual ashes will not be available for collection. Shared ashes will be buried or scattered in line with the crematorium's standard procedure.

If you choose individual cremation, you can instruct what happens to the ashes that are recovered.

Powder

For shared or individual hydrolysis, hydrolysis facility staff will make every effort to recover powder. If powder is not recovered, the Inspector of Hydrolysis will investigate the reasons for this.

If you choose shared hydrolysis, individual powder will not be available for collection. Shared powder will be buried or scattered in line with the hydrolysis facility's standard procedure.

Form 3

If you choose individual hydrolysis, you can instruct what happens to the powder that is recovered.

Section A

Hospital to list available options here, including the option to make own arrangements and a description of the hospital's standard procedure.

I …….. (name of the authorised individual) …… (relationship to patient) have been authorised to make the arrangements for burial, cremation or hydrolysis.

☐ **Hospital staff have explained the options to me and I understand the options available.**

Please circle the chosen option in the box above.

Making your own arrangements

If you are making your own arrangements but are not taking the pregnancy loss with you straight away please contact the hospital as soon as you have made the arrangements. If you have not contacted the hospital within 6 weeks following your pregnancy loss, or if you have informed the hospital of your arrangements but your pregnancy loss has not been collected within the 6 weeks, the hospital may make arrangements for burial, cremation or hydrolysis of your pregnancy loss in line with the hospital's standard procedure.

Arrangements in line with the patient's wishes

I authorise the hospital to make the arrangements in line with the patient's wishes (if you know the patient's wishes, please write them in the box below).

Form 3

Hospital Examination

If the patient has given authorisation for the hospital to examine their pregnancy loss, there is a possibility that there will be no tissue left for burial, cremation or hydrolysis following examination.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS]
.....
Witness signature .....
Date.....

Section B - Date of burial, cremation or hydrolysis

The hospital will not normally arrange the burial, cremation or hydrolysis to take place before 7 days, in case you wish to change your decision. If you have no objection to the burial, cremation or hydrolysis taking place before 7 days, please tick the box below.

☐ I authorise the hospital to arrange the burial, cremation or hydrolysis before 7 days (where possible) and I understand that by doing so I may not be able to change my decision.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS]
.....
Witness signature .....
Date.....

Form 3

Section C – Where no decision has been made

Where the hospital has not been informed of a decision, the hospital should record that fact in the box below and, where possible, secure the signature of the authorised individual.

Signature

Your name [BLOCK CAPITALS].....
Your address and postcode [BLOCK CAPITALS] .....
Signature..... Date.....

Witness name [BLOCK CAPITALS]..... Job title.....
Witness Address and Postcode [BLOCK CAPITALS]
.....
Witness signature .....
Date.. .....

Notes:

This form should be completed by the authorised individual when arranging the burial, cremation or hydrolysis of a pregnancy loss up to and including 23 weeks and 6 days gestation.

The authorised person must be 16 years or older.

If it is not possible to obtain the signature of the authorised person, a member of staff should sign the last part of Section C.

SCHEDULE 8

Regulation 11(13)

REGISTER OF PREGNANCY LOSS

"SCHEDULE 4

Regulation 10

REGISTER OF PREGNANCY LOSS

PART 1

(Information where the health authority is authorised to make arrangements by virtue of the provisions specified in regulation 10(2))

A. Details of woman

- Woman's surname
- Woman's patient identifier

B. Details of remains of fetus or stillborn child buried, cremated or hydrolysed

- Unique identification number (assigned by the hospital)
- The gestational age of the fetus or still-born child

C. Details of authorisation

- The name of the individual to whom the authorisation to make arrangements for the remains of the fetus or stillborn baby to be buried, cremated or hydrolysed is communicated and the date on which the authorisation is given
- That the woman has authorised the health authority to make arrangements for the burial, cremation or hydrolysis (where applicable)
- Where the woman does not provide authorisation—

  the name of the individual who made the decision to authorise the health authority to make arrangements for burial, cremation or hydrolysis of the fetus and the individual's relationship to the woman; or

  the name of the individual who made the decision to authorise the health authority to make arrangements for the burial, cremation or hydrolysis of the still-born child and the individual's relationship to the still-born child
- The way in which the remains of the fetus or still-born child are to be buried, cremated or hydrolysed as specified in the decision to authorise the health authority to make arrangements for burial, cremation or hydrolysis (where applicable)
- Where there is a change in a decision to authorise the health authority or an individual of, or over the age of, 16 to make arrangements for the burial, cremation or hydrolysis of the fetus or still-born child, a record of all changes made including a change in the way in which the remains are to be buried, cremated or hydrolysed and a change to who is authorised to make the arrangements for burial, cremation or hydrolysis

D. Details of burial, cremation or hydrolysis

- The name of the individual who collected the fetus or still-born child from the mortuary and the date of collection
- That the remains of the fetus or still-born child were buried, cremated or hydrolysed (whichever is the case)
- The place of the burial, cremation or hydrolysis (whichever is the case)

PART 2

(Information where the health authority is authorised to make arrangements by virtue of the provisions specified in regulation 10(3))

A. Details of woman

- Woman's surname
- Woman's patient identifier

B. Details of remains of fetus or stillborn child buried, cremated or hydrolysed

- Unique identification number (assigned by the hospital)
- The gestational age of the fetus or still-born child

C. Details of authorisation

- The basis on which the health authority is authorised to make arrangements for the burial, cremation or hydrolysis of the fetus or still-born child

D. Details of burial, cremation or hydrolysis

- The name of the individual who collected the fetus or stillborn baby from the mortuary and the date of collection
- That the remains of the fetus were buried, cremated or hydrolysed (whichever is the case)
- The place of the burial, cremation or hydrolysis (whichever is the case)"

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision regarding hydrolysis, a new form of disposal of human remains.

Regulation 2 applies provisions of the Burial and Cremation (Scotland) Act 2016 ("the Act") to hydrolysis, as if they were subject to specified modifications. The modifications that are to be read into the Act are set out in schedule 1.

Regulation 3 and schedule 2 amend the Act to reflect that hydrolysis is a third option for the disposal of human remains, in addition to burial and cremation. In particular—

- amendments are made to Part 3 of the Act (arrangements on death), which sets out who has the right to instruct the disposal of human remains, to include hydrolysis alongside burial and cremation;
- amendments are made to Part 4 of the Act (inspection) to allow the appointment of inspectors of hydrolysis and to allow the Scottish Ministers to make regulations for or in connection with the carrying out of inspections of hydrolysis facilities and hydrolysis authorities, aligning them with burial grounds, burial authorities, crematoriums and cremation authorities;
- amendments are made to section 107 (interpretation) to include new defined terms that are relied upon in the amendments to the Act.

Regulations 4 to 16 contain consequential amendments to other legislation. In particular—

- the Burial and Cremation (Pregnancy Loss Prescribed Information and Forms) (Scotland) Regulations 2018 are amended to reflect that hydrolysis is an option alongside burial and cremation following pregnancy loss;
- the Burial and Cremation (Inspection) (Scotland) Regulations 2025 are amended to ensure that hydrolysis facilities and hydrolysis authorities are subject to the same inspection regime as burial and cremation authorities, burial grounds and crematoriums;
- regulation 9 and schedule 8 of the Cremation (Scotland) Regulations 2019, which require a Form E1 to be provided where the death of a person has been investigated by the procurator fiscal before that person's remains can be cremated, are revoked. Equivalent provision is made by amendment to the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015, to provide that a Form E1 is to be provided where the death of a person has been investigated by the procurator fiscal before that person's remains can be cremated or hydrolysed.

Regulations 1 to 3 come into force on the day after the day on which these Regulations are made, for the purposes of exercising the powers contained in sections 47(1), 48(2), 56(1) and 57(1) and (2) of the Act, as applied in relation to hydrolysis and as if modified in accordance with regulation 2 and schedule 1 of these Regulations. These Regulations come into force for all other purposes on 2 March 2026.

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