

**MARGAM JOINT CREMATORIUM COMMITTEE**  
**REPORT OF THE SUPERINTENDENT & REGISTRAR**

**23 September 2016**

**MATTER FOR INFORMATION**

**WARDS AFFECTED:**

All

**Amendments to the Cremation (England and Wales) Regulations 2008**

**Purpose of Report**

1. The purpose of the report is to brief Members on amendments to the Regulations in relation to cremation.

**Background**

2. To a large extent the legal rules in relation to cremation are found in the Cremation (England and Wales) Regulations 2008 (“the 2008 Regulations”).
3. The UK Government have laid Regulations before Parliament which will come into effect on 1<sup>st</sup> October 2016. The title of those Regulations is The Cremation (England and Wales) (Amendment) Regulations 2016. The amendments contained in those Regulations amend the 2008 Regulations in two respects; firstly, they insert a definition of “ashes” into the 2008 Regulations and, secondly, remove an obligation to keep paper records.
4. Whilst Regulation 30 and 34 of the 2008 Regulations made provision in relation to what has always been described as “ashes” i.e. the remains left after cremation, there has never been any statutory definition of that word.
5. Regulation 3 inserts fresh provision in the 2008 Regulations which defines ashes as meaning all the material left in the cremator after a cremation following the removal of any metal and any subsequent grinding or other process which is applied to the material. Members will know that cremated remains are processed in a cremulator following cremation before being placed in an urn or other container.

6. Those who provide cremation services must keep records of cremations. The 2008 Regulations require that these records must be kept for 15 years. Those regulations also require crematoria to hold paper records for two years even though those records were also kept in electronic form. The Amendment Regulations do away with those requirements.
7. I would also take the opportunity to mention that a Ministerial Statement was issued by the Ministry of Justice on 8<sup>th</sup> September 2016 describing the changes referred to above but also announcing that the Ministry had now set up a National Cremation working Group made up of representatives from the bodies that provide cremation and funeral services, voluntary organisations, medical professionals and other Government Departments. In the coming months it will consider proposals to improve cremation legislation.

### **Financial Impact**

8. None

### **Equality Impact Assessment**

9. Not required

### **Workforce Impact**

10. None

### **Legal Impacts**

11. The legal changes are explained in the report

### **Risk Management**

12. Not applicable

### **Consultation**

13. Not applicable

## **List of Background Papers**

14. The Cremation (England and Wales) (Amendment) Regulations 2016

### **Officer Contact**

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