

## **The Legislative Framework**

**1 Do you agree that existing legislation relating to burial and cremation should be repealed and replaced by a new legislative framework?**

Not Answered

**Please enter any additional comments here:**

**2 Are there any particular powers that are required by Burial Authorities or Cremation Authorities that are not provided for by current legislation?**

**Are there any particular powers that are required by Burial Authorities or Cremation Authorities that are not provided for by current legislation?:**

**3 Do you agree that the proposed Burial and Cremation (Scotland) Bill should apply to all cemeteries and crematoria in Scotland, regardless of whether they are publically or privately operated? If not, please set out reasons why not.**

Not Answered

If not, please set out reasons why not.:

**4 Do you agree that the Bill should contain provisions which apply to all facilities where any new method of disposal which might be introduced in Scotland are carried out?**

Not Answered

Please enter any additional comments here.:

**5 Do you agree that the Bill should contain provisions to regulate environmentally friendly methods of disposal that are already available in Scotland?**

Yes

Please enter any additional comments here.:

Yes I am in favor of the Bill containing provisions to regulate environmentally friendly methods of disposal, both for methods already in use in Scotland and with provision for regulations to enable new forms of disposal when they are considered viable, for which they may be guided by developing techniques and technologies that have been accepted in other countries.

**6 Should the Burial and Cremation (Scotland) Bill contain provisions pertaining to home burial?**

Not Answered

Please enter additional comments here:

**7 In making legal provision for home burial, what factors should be considered?**

In making legal provision for home burial, what factors should be considered?:

**8 Are there any reasons why private cremation should not remain illegal?**

Not Answered

Please enter additional comments here:

**9a Do you agree that alternative methods of disposing of the dead should be regulated for in this way?**

Yes

**9b Are there any particular alternative methods that should be considered?**

Are there any particular alternative methods that should be considered?:

I am particularly supportive of Promession as a more sensitive and environmentally means of disposing of the dead.

Scottish Ministers may consider taking into account changing legislation in other parts of the World and particularly Europe to guide them as to when emerging technologies would be considered viable for use within Scotland?

**9c Are there any particular methods which should be prevented from being used in Scotland?**

Are there any particular methods which should be prevented from being used in Scotland?:

**10 Do you agree with this definition of ashes? If not, how should ashes be defined?**

Not Answered

If not, how should ashes be defined?:

**11 Do you agree that a minimum distance of 200 yards (182.9 metres) should be required between crematoria and housing? If not, please explain why not.**

Not Answered

If not, please explain why not.:

**12 What are your views on the use of enforcement powers or penalty powers in response to such a minimum distance being breached?**

Please enter your comments here.:

**Alleviating pressure on burial grounds**

**22 Do you agree that the sale of lairs in perpetuity should be ended?**

Not Answered

Please enter additional comments here.:

**23 Does the proposed alternative approach provide a suitable balance between enabling people to buy lairs and safeguarding lairs for the future?**

Not Answered

Please enter additional comments here.:

**24a Should there be any restrictions about to whom the owner of a lair can transfer his or her interest?**

Not Answered

**24b Should this be restricted to family members?**

Not Answered

**25 Do you agree that Burial Authorities should no longer be able to sell multiple lairs or blocks of lairs to an individual?**

Not Answered

Please enter additional comments here.:

**26 The Burial and Cremation Review Group recommended that Burial Authorities may refuse to sell a lair if it believes that it is not for imminent use. How long should constitute 'imminent' in this situation?**

How long should constitute 'imminent' in this situation? :

How could this be tested?:

**27 Do you agree with the proposal that full lairs and partially-full and unused lairs should be considered for reuse in certain circumstances with appropriate safeguards in place?**

Not Answered

Please enter any additional comments here.:

**28 Is a period of 75 years sufficient before reuse of a full lair can be considered?**

Not Answered

Please enter additional comments here.:

**29a Does the initial consultation provide sufficient assurance that relevant specialist interests have been consulted?**

Not Answered

Please enter any additional comments here.:

**29b Should any other specific organisations or groups be consulted at this stage?**

Not Answered

**30a Does the process set out allow for sufficient notice to be given that a lair is being proposed for reuse?**

Not Answered

Please enter additional comments here.:

**30b Should any particular methods of notification be used in addition to those noted?**

Not Answered

Please enter any addition comments.:

**31 What can be done to make sure that there are no financial disincentives to opposing to the reuse of a grave?**

What can be done to make sure that there are no financial disincentives to opposing to the reuse of a grave?:

**32 Other than family members, who should be able to object to the proposed reuse of a lair?**

**What considerations should be made to determine whether an objection from a non-family member is legitimate? :**

**33 What considerations should be made to determine whether an objection from a non-family member is legitimate?**

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**34a If the Burial Authority decides not to reuse a lair on the basis of an objection from a non-family member, should that person become liable for the maintenance of the lair?**

Not Answered

**34b If not, should the Burial Authority remain responsible?**

Not Answered

**35 Do you agree that the 'dig and deepen' method should be used to allow the reuse of full lairs?**

Not Answered

**Please enter additional comments here.:**

**36 Are any other techniques available that should be considered?**

Not Answered

**Please enter additional comments here:**

**37 Do you agree that headstones and memorials may be reused if appropriate?**

Not Answered

**Please enter additional comments here.:**

**38 Do you agree that headstones and memorials should be removed from lairs if they cannot be made safe?**

Not Answered

**In this instance, what should happen to headstones and memorials that are removed? :**

**39a Are any other approaches for easing the pressure on burial land suitable for use in Scotland?**

Not Answered

**39b For example, should above ground mausoleums, similar to those found in Europe, be considered?**

Not Answered

**40 Is a period of 25 years sufficient before the use of a partially-full or unused lair can be considered?**

Not Answered

**Please enter additional comments here.:**

**41 Is 12 months long enough to advertise the intended reuse of a full lair or use of a partially-full or unused lair?**

Not Answered

**Where should the Burial Authority's intention be advertised? :**

**42 Where a Burial Authority intends to reuse a lair having undertaken all appropriate consultations, should it be required to make clear to prospective purchasers that the lair is being reused or is part of a lair that is partly full?**

Not Answered

**Please enter additional comments:**

**43a Do the safeguards described provide sufficient reassurance to ensure that lairs are not reused inappropriately?**

Not Answered

Please enter additional comments here:

**43b Are any other safeguards required – for example, should the Burial Authority be required to seek a court order to reuse a lair?**

Not Answered

Please enter additional comments here:

Please enter additional comments here.:

**44 Should certain categories of grave – such as Commonwealth War Graves – be automatically excluded from consideration for reuse?**

Not Answered

Please enter additional comments here.:

## **Pregnancy Loss**

**64 Is a comparable process for the burial of a pregnancy loss of less than 24 weeks gestation required?**

Not Answered

Please enter additional comments here.:

**65 Is an alternative process required before the cremation of a pregnancy loss where there is no medical certificate?**

Not Answered

Please enter additional comments here:

**66 Do you agree with these proposals for the form used to seek the mother's agreement to the hospital organising the cremation of a pregnancy loss of less than 24 weeks' notice?**

Not Answered

Please enter additional comments here:

**67a Do you agree with the proposal for who should have the right to instruct the disposal of the remains in the event of a pregnancy loss of less than 24 weeks gestation?**

Not Answered

**67b If not, in whom should this right be vested?**

If not, in whom should this right be vested?:

Please enter additional comments here:

**68a Do you agree with the proposal to provide a list of people who have the right to instruct the disposal of the remains in the event that the woman is unable to do so?**

Not Answered

**68b If so, who should be included in this list.**

If so, who should be included in this list.:

Please enter any additional comments here:

**69a Should there be a maximum time for which a pregnancy loss can be stored by a hospital before it is cremated as part of a shared cremation?**

**69b How long should this be?**

How long should this be?:

**70 Should the forms for the cremation of a pregnancy loss of less than 24 weeks gestation be statutory?**

Not Answered

if not, why not?:

**71 Should the form used by the hospital to release a pregnancy loss to the mother be statutory?**

Not Answered

**Please enter additional comments here:**

**72 Should there be a prescribed form for the application for cremation of a pregnancy loss of less than 24 weeks gestation where the cremation is organised by the mother?**

Not Answered

**Please enter additional comments here:**

**73a Do you agree that the application should be countersigned by someone who is not a member of the applicant's family and who is not involved in the arrangements for the cremation?**

Not Answered

**73b Will this prove impractical?**

Not Answered

**73c Should the legislation specify categories of people who may countersign cremation application forms?**

Not Answered

**Please enter additional comments here:**