

Schedule 5

**Regulation 3
Form BF5**

Application for 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 number [official use only]		Burial authority logo and/or address:  Clackmannanshire Council Comhairle Siorrachd Chlach Mhanann www.clacks.gov.uk
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 is used by a local authority to apply for the burial of the remains of an adult or a child where: a) a person dies or is found dead within the area of the local authority; and b) it appears that no arrangements have been or are being made for the remains to be buried or cremated.

This application form must be completed by a representative of the local authority. The application is made to the burial authority which is to carry out the burial. The burial authority will need to examine the form to make sure that it contains all of the necessary information. Missing information or information the burial authority does not think is accurate may result in the burial being delayed or refused. The local authority representative applying for the burial is 'the applicant' and has the legal right to apply for the burial under section 87 of the 2016 Act. If you are unsure about any of the information that is required, or are not sure what any part of the form means, you should speak to staff at the burial authority or to the funeral director who is making the arrangements.

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 the necessary documents to this application form. The burial authority will need to have them to allow the burial to take place.

Required

Certificate of Registration of Death

Section 1: Your information 'the applicant'

This section is used to record your details, as the representative of the local authority responsible for the burial. In completing this form you are the applicant for the burial.

Title	
Full name	
Position	
Local authority	
Business address	
Postcode	
Business telephone	
Business email address	

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	
Deceased's faith (if known)	
Place of death (if known)	
Name of hospital or practice where the doctor certified the death	

Section 3: Burial ground details

Name of burial ground	
Burial ground address and postcode	
Type of lair ^(a)	<p><input type="checkbox"/> New lair</p> <p><input type="checkbox"/> Existing lair, but no previous burial Please describe location in burial ground (e.g. section and lair number)</p> <p>.....</p> <p><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)</p> <p>.....</p>
<p>Is this a war grave? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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”)</p>	

^(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.

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?

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, please give further details.

Section 5: Declaration

I declare that I have the legal right to apply for this burial. To the best of my knowledge and belief, all the information given in this application is correct, no information has been omitted and authorisation for the disposal has been obtained.

Signed:

Full Name:

Date:

Organisation:

Business address and postcode:

Business telephone:

Section 6: Funeral director details (if applicable)

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

Coffin details

Coffin material (including handles)		
Coffin shape		
External Coffin Measurements (in cm)	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)

Please confirm that the application is in order and that the burial can take place (please tick).

I confirm that I have received the necessary 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 5 (BF5): Guidance Notes

This Burial Form 5 (BF5) is for use only by the appropriate local authority to make an application for the burial of the remains of an adult or a child under section 87 of the Burial and Cremation (Scotland) Act 2016 (the 2016 Act).

Please use Burial Form 1 (BF1) where an application for burial of the remains of an adult or child (other than by the local authority) is being made.

The other relevant application form for each category of burial is:

- 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 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

Section 87 of the 2016 Act requires that, where someone dies in a local authority area, then that local authority must make the arrangements for burial or cremation of the remains if: a) the person dies or is found dead within the area of a local authority, and

b) it appears to the local authority that no arrangements have been or are being made.

If the person is a child who, immediately before the death, was being looked after by another local authority, that other local authority must make arrangements for the remains to be buried or cremated.

If the person is not a child and, immediately before the death, the person was in the care of, or receiving assistance from, another local authority, that other local authority must make arrangements for the remains to be buried or cremated.

If the local authority knows the wishes of the deceased, for method of disposal or for religion or belief, those wishes should be complied with if it is reasonable to do so.

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 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 an adult or child is to be buried in Scotland, the following documentation is required:

Form 14 – Certificate of Registration of Death given by the registrar in Scotland¹

Section 3: Burial details

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 rightholder, 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.

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)

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 measures² may be required before the burial takes place.

Section 5: Declaration

The applicant is required to declare that they are entitled to apply for the burial of an adult or child by virtue of section 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.

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 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)

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.

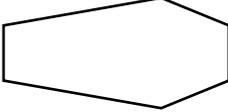
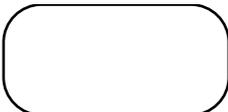
Section 6: Funeral director details

Coffin material (including handles)

Please state what material the coffin (including any handles) is made from, for example, it 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 shape

Please state the shape of the coffin, 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 measurements

Please state the external measurements of the coffin 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.