

## Coronavirus Act

### Changes to cremation forms - information from the Ministry of Justice

27.03.20

The Coronavirus Act 2020 which received Royal Assent on Wednesday 25 March 2020 has made changes to the regulation of cremations. The Ministry of Justice will be issuing revised guidance very shortly but, in the meantime, here are the key changes.

The requirement to complete the confirmatory medical certificate (form Cremation 5) is suspended. Cremations should be authorised on the basis of form Cremation 4 only. The suspension of form 5 applies to all cremations that haven't yet been authorised by the medical referee, irrespective of whether the death took place before the emergency provisions came into force.

Form Cremation 4 remains unchanged and a PDF version continues to be available on the MOJ website. It can be submitted electronically, and an electronic signature includes being sent from the secure email account of the person completing the form Cremation 4.

The requirement for form Cremation 4 to be completed by the attending medical practitioner is suspended. Any medical practitioner can now complete form Cremation 4, even if they did not attend the deceased during their last illness or after death, if the following conditions are fulfilled:

- The medical practitioner who did attend the deceased is unable to sign the form Cremation 4 or it is impractical for them to do so.
- A medical practitioner has seen the deceased (including audiovisual/video consultation) within 28 days before death or has viewed the body in person after death.

Examination of the body is not required for completion of form Cremation 4 if the deceased was seen by a medical practitioner (including audiovisual/video consultation) in the 28 days before death.

When a medical practitioner who did not attend the deceased completes form Cremation 4, the following applies:

- Question 5. 'Usual medical practitioner'. Where the certifying doctor did not themselves attend the patient either during their illness or after death, the certifying doctor should provide the GMC number and name of the medical practitioner who did attend at Question 9. This should also include the date when the deceased was seen and a report of the record made by the attending doctor.
- Question 6. 'Not applicable' is acceptable.
- Question 7. 'Not applicable' is acceptable.
- Question 8. 'Not applicable' is acceptable. As at (iii) above, if the form Cremation 4 is being completed on the basis of another medical practitioner having seen the deceased after death, the date, time and nature of their examination should be recorded at Question 9.

Any completed cremation forms 5 that you may receive will not form part of the application and there will be no duty to retain them.

There will be no need for a medical referee to re-authorise any cremation that they have already authorised under the arrangements which applied prior to implementation of the 2020 Act.