

Island of  Guernsey

Ordinance of the States **XVIII**

1965

Made 29th September, 1965.
Coming into Operation .. 1st January, 1966.

**The Cremation (Amendment) Ordinance,
1965**

THE STATES, in pursuance of their Resolution of the twenty-sixth day of May, nineteen hundred and sixty-five, and in exercise of the powers now vested in them under Article four of the Law entitled "Loi relative à la Crémation" registered on the first day of September, nineteen hundred and twenty-eight, and of all other powers thereunto them enabling, hereby order:—

1. The Ordinance entitled "Ordonnance relative à la Crémation" of the twelfth day of October, nineteen hundred and twenty-nine^(a), as amended^(b), is hereby further amended as follows, that is to say:—

Amend-
ment of
Ordinance
of 1929.

(a) regulation 6 thereof is hereby repealed and the following regulation is hereby substituted therefor—

"6.—(1) No cremation shall be allowed to take place unless application therefor

(a) Recueil d'Ordonnances Tome VIII, p. 43.
(b) Recueil d'Ordonnances Tome VIII, p. 58.

has been made in Form A set out in the Schedule hereto and the information requested in that form duly furnished.

(2) The application shall be signed by an executor or the nearest relative of the deceased, so, however, that it may be signed by some other person if a Law Officer of the Crown is satisfied that that person is a proper one to have signed, and a satisfactory reason is given on the application why it is not signed by an executor or the nearest relative but by that other person.

(3) The application shall be verified by being countersigned by—

- (a) a Jurat;
- (b) a Member of the States;
- (c) the Magistrate;
- (d) a minister of religion;
- (e) an advocate or écrivain;
- (f) a Constable or Douzenier;
- (g) a medical practitioner or dentist authorised respectively to practice in this Island as a medical practitioner or dentist according to the law for the time being in force;
- (h) an officer on the active or half pay or pensions lists of any of Her Majesty's naval, military or air forces;
- (i) a person who—
 - (i) is a member of the Established Staff of the States of Guernsey; or

(ii) is in receipt of a pension in respect of service as a member of the said Established Staff;

and who is, or was at the date of his retirement, as the case may be, of the rank of clerical officer or equivalent or higher rank and is not less than twenty years of age;

- (j) a manager or cashier of a bank;
- (k) a teacher at a school wholly or partly maintained by the States of Guernsey; or
- (l) a member of the salaried police force of this Island not below the rank of sergeant.

(4) For the purposes of this Ordinance, where a person has left a husband or wife surviving, such husband or wife shall be deemed to be the nearest surviving relative.”;

- (b) in regulation 8 thereof, the words from and including the words “In the case of the remains of a person” to and including the words “to take a declaration” are hereby repealed and the following words are hereby substituted therefor—

“In the case of the remains of a person who has died in any place out of this Island, the Law Officer of the Crown may accept an application containing the particulars in Form A if it be accompanied by a declaration by the applicant that all the particulars given therein are true to the best of his knowledge and

belief, made before any person having authority in that place to administer an oath or take a declaration”;

- (c) Form A set out in the Schedule thereto is hereby repealed and the form set out in the Schedule to this Ordinance is hereby substituted therefor.

Citation and
commence-
ment.

2. (1) This Ordinance may be cited as the Cremation (Amendment) Ordinance, 1965, and this Ordinance, the Ordinance entitled “Ordonnance relative à la Crémation” of the twelfth day of October, nineteen hundred and twenty-nine and the Ordinance entitled “Ordonnance portant amendement à l’Ordonnance relative à la Crémation du 12 octobre 1929” of the sixteenth day of November, nineteen hundred and twenty-nine, may be cited together as the Cremation Ordinances, 1929 to 1965.

(2) This Ordinance shall come into force on the first day of January, nineteen hundred and sixty-six.

SCHEDULE

Section one

FORM A

APPLICATION FOR CREMATION

I (name of applicant)

(address)

(occupation)

apply to the States of Guernsey to undertake the
cremation of the remains of

(name of deceased)

(address)

(occupation)

(age)

(sex)

(whether married, widow, widower, or unmarried)

The true answers to the questions set out below
are as follows:—

1. Are you an executor or
the nearest surviving relative
of the deceased?

2. If not, state

(a) your relationship to (a)
the deceased

(b) the reason why the (b)
application is made by
you and not by an
executor or any nearer
relative.

3. Did the deceased leave
any written directions as to the
mode of disposal of his or her
remains? If so, what?

4. Have the near relatives of the deceased been informed of the proposed cremation?

5. Has any near relative of the deceased expressed any objection to the proposed cremation? If so, on what ground?

6. What was the date and hour of the death of deceased?

7. What was the place where deceased died? (Give address and say whether own residence, lodgings, hotel, hospital, nursing home, etc.)

8. Do you know, or have any reason to suspect, that the death of the deceased was due, directly or indirectly to

(a) violence;

(b) poison;

(c) privation or neglect?

9. Do you know any reason whatever for supposing that an examination of the remains of the deceased may be desirable?

10. Give name and address of the ordinary medical attendant of the deceased.

11. Give names and addresses of the medical practitioners who attended deceased during his or her last illness.

I declare that to the best of my knowledge and belief the information given in this application is correct and no material particular has been omitted.

Date (Signature)

The applicant is known to me and I have no reason to doubt the truth of any of the information furnished by the applicant.

Date (Signature)

(Capacity in which signatory has signed)

Address

.....

R. H. VIDELO,
Her Majesty's Greffier.