

AFTER THE LAST BREATH QUIZ

1. If someone dies in a hospice or hospital, the most senior clinician has the authority to decide what happens with their body.	TRUE	FALSE
2. It is legal to take someone who has died in a vehicle, so long as it is a van.	TRUE	FALSE
3. You must tell the Police before transporting, in your own vehicle, someone who has died.	TRUE	FALSE
4. Anyone can be buried in their garden.	TRUE	FALSE
5. A death must be registered within 8 days.	TRUE	FALSE
6. A body can legally be kept at home for a maximum of 7 days.	TRUE	FALSE
7. A bereaved spouse/partner has a legal obligation to arrange a funeral.	TRUE	FALSE
8. It is possible to legally ensure how your funeral will be carried out.	TRUE	FALSE
9. It is possible to legally say who you want to arrange your funeral.	TRUE	FALSE
10. You need a funeral director to make arrangements for cremation.	TRUE	FALSE
11. People must be buried in coffins.	TRUE	FALSE
12. The average cost of a basic funeral in Scotland in 2022– funeral director, coffin, and burial or cremation (no wake, flowers, etc).	£2,848	£3,348 £3,848
13. Cremation is cheaper than burial.	TRUE	FALSE
14. You need permission to scatter ashes.	TRUE	FALSE
15. Jane receives income support. She will receive a Funeral Support Payment to pay the funeral costs for a close member of her family.	TRUE	FALSE
16. There is an age limit for the donation of corneas.	TRUE	FALSE
17. You can bury someone at sea yourself.	TRUE	FALSE



AFTER THE LAST BREATH QUIZ – ANSWERS

1. **False.** Legally no one owns a dead body, but the next-of-kin (or, in the future, nominated person) has the right to decide how it will be cared for. The doctor decides whether to refer the death to the Procurator Fiscal, which may affect this. Hospitals have local protocols in the mortuary. Ultimately the local authority has responsibility.

2. **False.** Someone who has died can be driven in any vehicle so long as it does not cause public offence.

3. **False**

4. **True** with the landowner's permission and confirmation from the Scottish Environment Protection Agency that it will not contaminate groundwater. It does not need to be on the property's title deeds – just a note kept with the title deeds detailing the position of the grave. You may have to check with your local authority if planning permission is required, e.g. for a number of graves or if a memorial stone constitutes change of use.

5. **True**

6. **False** There is no legal time limit.

7. **False** No one is legally obliged to arrange a funeral, but whoever arranges one is obliged to pay for it. The funeral can sometimes be paid directly from the deceased's bank account or always from their estate (before any other debts). Ultimately the local authority is responsible (and will claim the cost back from the estate if available.)

8. **False** You can state in your Will how you would like it to be, but this part of a Will is not legally binding.

9. **True** The Burial and Cremation (Scotland) Act 2016 s65 gives a legal hierarchy of who can arrange a funeral and the ability to nominate someone to arrange a funeral. In this hierarchy, spouse/partner comes above children.

10. **It Depends.** Not a legal point, but some private crematoria require it. Local authority crematoria do not require it, and staff can provide information and signpost people wanting to make arrangements themselves.

11. **Partly True.** There is no legal need to use a coffin, but the burial authority can require a coffin to be used on their premises. It is not usually required at a natural burial ground where e.g. shrouds or sheets/blankets can be used.

12. **£3,848 (2022).** This includes the funeral director, burial/ cremation, and celebrant/ minister. Then add the average of £2,669 for the notices, flowers, wake, etc. and £2, 578 in fees for administering the estate makes the average total cost of dying is £9,095 (Sunlife (2023) Cost of Dying Report sunlife.co.uk/funeral-costs)

13. **It Depends** on whether a lair is already available for burial. Prices vary between local authorities and private companies. The cost of interment is usually similar to cremation. The cost of a lair usually approximately doubles the total cost of burial.

14. **It Depends.** You need permission to scatter ashes on land from the landowner. You do not need permission to scatter ashes at sea.

15. **Partly True.** People receiving a qualifying benefit can claim a Funeral Support Payment. There are eligibility criteria, e.g., no close family member not on benefits is able to pay. It covers burial/cremation, funeral, and transport costs. The total average payout is around £1,700. www.gov.scot

16. **Partly true** There may be in different regions, which varies too over time depending on the availability and need.

17. **True, but difficult.** You need a licence – and a suitable boat! There are rules about the burial location and design of coffin. Licensed areas in Scotland are off John O'Groats and Oban.