



## **AFTER THE LAST BREATH QUIZ**

1. If someone dies in a hospice or hospital, the most senior doctor has the legal authority to decide what happens with their body.	<b>TRUE</b>	<b>FALSE</b>
2. It is legal to move a dead person in your own vehicle.	<b>TRUE</b>	<b>FALSE</b>
3. You are legally required to inform the Police before transporting a dead person in your own vehicle.	<b>TRUE</b>	<b>FALSE</b>
4. A person who has died can be buried in a garden.	<b>TRUE</b>	<b>FALSE</b>
5. A death must be registered with a local authority registrar within eight days.	<b>TRUE</b>	<b>FALSE</b>
6. A person's body can legally be kept at home for a maximum of seven days after death.	<b>TRUE</b>	<b>FALSE</b>
7. A bereaved spouse or partner has a legal obligation to arrange a funeral.	<b>TRUE</b>	<b>FALSE</b>
8. You can legally ensure your wishes for your funeral will be carried out.	<b>TRUE</b>	<b>FALSE</b>
9. Legally, you can state who you want to arrange your funeral.	<b>TRUE</b>	<b>FALSE</b>
10. It is possible to arrange a burial or cremation without a funeral director.	<b>TRUE</b>	<b>FALSE</b>
11. For burial to be legal, a coffin must be used.	<b>TRUE</b>	<b>FALSE</b>
12. You need permission from the landowner to scatter ashes on land.	<b>TRUE</b>	<b>FALSE</b>
13. The average cost of a <b>basic</b> funeral in Scotland in 2023, including a funeral director, coffin, and burial or cremation (no wake, flowers, etc) was £3,040.	<b>TRUE</b>	<b>FALSE</b>
14. Someone who receives income support will receive a Funeral Support Payment to pay the full cost of a funeral for a close member of their family.	<b>TRUE</b>	<b>FALSE</b>

## AFTER THE LAST BREATH QUIZ – ANSWERS

1. **False.** Legally no one owns a dead body. The doctor has the authority to decide whether the death needs to be referred to the Procurator Fiscal to investigate the cause of death. If investigation is required, then the Procurator Fiscal has complete authority to decide what happens to the person's body. If investigation is not required, then the next-of-kin (or the nominated person) has the right to decide how a person's body will be cared for and can, for example, take them straight home from a hospital or hospice.
2. **True.** As long as the person's body is covered so as not to cause public offence, a dead person can be driven in any vehicle.
3. **False.** You are not required to inform the police before transporting a dead person in any vehicle.
4. **True.** With the landowner's permission, and confirmation from the Scottish Environment Protection Agency that it will not contaminate groundwater or water supplies, a person can be buried in their own garden or on any private land. The burial does not need to be recorded on the property's title deeds, but a note should be kept with the title deeds showing the position of the grave. You may have to check with your local authority to find out if planning permission is required, for example, if there are going to be several graves or in case a memorial stone constitutes a change of use.
5. **True.** A death must be registered with a local authority registrar within eight days.
6. **False.** There is no legal time limit for how long a person's body can be kept at home.
7. **False** No one is legally obligated to arrange a funeral, but whoever does is obligated to pay for it. The funeral can sometimes be paid for directly from the deceased's bank account but, if not, it will always be taken from their estate before any other debts. If no one arranges a funeral, the local authority is responsible for arranging one and they will claim the payment back from the dead person's estate, if the money is available.
8. **False.** You can state in your will how you would like your funeral to be carried out, 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 also who can be nominated to arrange a funeral. In this hierarchy, a person's spouse/partner comes above their children. Note that this person is not legally obliged to do it so it is important to choose someone you trust.
10. **True.** There is no legal requirement to use a funeral director. Local authority crematoria do not require it, and their staff can provide information to people wanting to make arrangements themselves. However, some private cremation companies only accept cremations/funerals through a funeral director. A funeral director can be very helpful, but they are not an obligation.
11. **False.** There is no legal need to use a coffin. However, a burial authority can require a coffin to be used on their premises. It is not usually required at a natural burial ground where shrouds or sheets/blankets can be used.
12. **True.** You need permission to scatter ashes on land from the landowner.
13. **False.** The average cost of a basic funeral in Scotland in 2023 was £4,030. This includes fees for a cremation or burial, funeral director, limousine, mid-range coffin and minister or celebrant. [sunlife.co.uk/funeral-costs]
14. **False.** People receiving a qualifying benefit can claim a Funeral Support Payment but there are eligibility criteria, for example, that there is no close family member who is not on benefits that is able to pay. The payment covers burial or cremation, funeral director costs, and transport costs but it does not usually cover the full cost of a funeral. The average payout : £2,065. [socialsecurity.gov.scot 25.10.24]