

FUNERALS MARKET INVESTIGATION

The Funerals Market Investigation Order 2021

Explanatory Note

This note is not a part of the Order

Introduction

1. The Competition and Markets Authority (CMA) published its findings in the Funerals Market Investigation in a report under section 136 of the Enterprise Act 2002 (the Act) entitled Funerals Market Investigation: Final Report on 18 December 2020 (the Final Report).
2. The Final Report set out the CMA's findings that there are features of the relevant markets for funerals in the United Kingdom which individually or in combination prevent, restrict or distort competition in the supply of: (a) services by funeral directors at the point of need; and (b) crematoria services.
3. The CMA decided on a package of remedies to be implemented by it in order to remedy, mitigate or prevent the adverse effects on competition (AECs) that it found and the detrimental effect on customers that may be expected to result from the AECs.
4. The AECs arise from the following features:
 - (a) Low level of customer engagement caused by the intrinsically challenging circumstances surrounding the purchase of a funeral;
 - (b) Lack of easily accessible and clearly comparable information on the products and services provided by funeral directors, including their prices and levels of quality;
 - (c) Lack of visibility to customers of the level of quality of care given to the deceased by funeral directors;
 - (d) High barriers to entry in the supply of crematoria services; and
 - (e) High levels of local concentration in the supply of crematoria services.
5. The CMA decided to address the AECs and resulting customer detriment through an integrated package of remedies, as follows:
 - (a) A requirement on all funeral directors and crematorium operators to disclose certain price information to customers.
 - (b) A requirement on crematorium operators to disclose certain price information to funeral directors in the local area and other funeral directors upon request.
 - (c) A requirement on all funeral directors to disclose particular business, financial and commercial information to customers.

- (d) A prohibition on all funeral directors from:
 - (i) entering into or conducting certain arrangements with a hospital, hospice, care home, or other similar institution which could reasonably be understood to encourage, incentivise or require the institution to refer customers to the funeral director or give that funeral director preference over other funeral directors; and
 - (ii) soliciting for business through coroner and police contracts.
 - (e) A recommendation to the UK government and the devolved administrations in Northern Ireland and Wales to establish in England, Northern Ireland and Wales an inspection and registration regime to monitor the quality of funeral director services, as a first step in the establishment of a broader regulatory regime for funeral services in these nations.
 - (f) A recommendation to the CMA Board to:
 - (i) actively monitor market outcomes in the funerals sector, in order to identify and, where possible, address any harmful behaviour;
 - (ii) publish an annual review of market outcomes in the funerals sector; and
 - (iii) consider at the earliest opportunity, when the impact and consequences of COVID-19 on the funerals sector are sufficiently understood and the sector is more stable, whether to consult on a future market investigation reference (MIR).¹
 - (g) To assist the CMA in monitoring the funerals sector, a requirement on some funeral directors and all crematorium operators to provide the CMA with specific price and volume information on the goods and services that they provide to customers.
6. The remedies outlined in paragraphs 5(a), 5(b), 5(c), 5(d) and 5(g) will be implemented by the Funerals Market Investigation Order 2021. This Explanatory Note accompanying the Order explains how the Order is expected to operate.

¹ We note that the decision to consult on a MIR in the future is a matter for the CMA Board and that for any such reference to be made, the statutory test in section 131 of the Act would need to be satisfied. In the event that a future MIR is made, it would be for the group appointed for the purposes of that reference to answer the statutory questions pursuant to section 134 of the Act in respect of that MIR.

Possible consequences of not complying with the Order

7. Section 167 of the Act places a duty on any person to whom the Order relates to comply with it. That duty is owed to any person who may be affected by a contravention of the Order. Any person who sustains loss or damage that is caused by a breach of this duty may bring an action before the court.
8. The CMA has the power under the Order to give directions, including directions to a person in their capacity as an office holder, for the purpose of carrying out, or ensuring compliance with, the Order.
9. Section 167 of the Act also provides that the CMA can enforce compliance with the Order by civil proceedings for an injunction or for any other appropriate relief or remedy.

Review of the Order

10. The CMA has a duty under section 162 of the Act to keep under review the carrying out of the Order. This includes a duty to consider, from time to time, whether the Order needs to be varied or revoked by reason of any change of circumstance.

Status of this Explanatory Note

11. Nothing in this Explanatory Note is legally binding. In the event of a conflict between this Explanatory Note and any provision of the Order, the Order shall prevail. Terms defined in the Order have the same meaning in this Explanatory Note.

Structure of the Order

12. The Order has six parts:
 - (a) **Part 1** contains general provisions, which include specifying when the Order comes into force, the geographic scope of the Order, and definitions used throughout the Order and which are also used in this Explanatory Note.
 - (b) **Part 2** requires Funeral Directors to display and supply certain information, and sets out how, where and when this must be done. It requires Funeral Directors to display and supply information on their own prices and terms of business and the charges made by local Crematorium Operators. Funeral Directors must also disclose information relating to the

ownership of their business and certain other related commercial interests they may have.

- (c) **Part 3** prohibits Funeral Directors from making certain arrangements with, or payments, benefits or gifts to, third parties such as hospitals, hospices, care homes, providers of bereavement services in a hospital setting or providers of palliative care, and from soliciting business through coroner and police contracts. It requires Funeral Directors to terminate any such existing arrangements.
 - (d) **Part 4** requires Crematorium Operators to display and supply certain information, and sets out how, where and when this must be done.
 - (e) **Part 5** requires certain Funeral Directors and all Crematorium Operators to provide the CMA with specified revenue and volume information.
 - (f) **Part 6** requires certain Funeral Directors and all Crematorium Operators to send annual compliance statements to the CMA, and confirms the CMA's power to require information from, and give directions to, Funeral Directors and Crematorium Operators.
13. This Explanatory Note follows the structure of the Order and contains five Schedules:
- (a) Schedule A: minimum standards for the products and services on the Standardised Price List.
 - (b) Schedule B: an initial list of Funeral Directors with five or more Branches.
 - (c) Schedule C: an initial list of Funeral Directors with ten or more Branches.
 - (d) Schedule D: an indicative template compliance reporting form for Funeral Directors.
 - (e) Schedule E: an indicative template compliance reporting form for Crematorium Operators.

Part 1 – Preliminary (Articles 1 – 2)

- 14. Articles 1(2) and 1(3) provide for different parts of the Order to come into force at different times.
- 15. Article 1(4) provides that the Order applies throughout the United Kingdom.
- 16. Article 2 defines certain terms used in the Order and applies the general definitions in the Interpretation Act 1978 to the Order. These include

definitions for the 'CMA Attended Funeral' and the 'CMA Unattended Funeral' which are referred to in the Order and the Explanatory Note in order to denote those products and services which are generally deemed sufficient to deliver an Attended Funeral and an Unattended Funeral. The Attended Funeral and Unattended Funeral on the Standardised Price List cover the products and services included in the CMA Attended Funeral and CMA Unattended Funeral although the Standardised Price List does not use those terms.

17. For the avoidance of doubt, the definition of a Funeral Director is not limited to those businesses which provide Funeral Director Services directly to Customers, but also includes those businesses which provide Funeral Director Services to Customers via a third-party Funeral Director.

Part 2 – Funeral Directors price, commercial information and transparency (Articles 3 – 5)

Price information

18. The aim of Article 3 is to make it easier for Customers to access the prices of Funeral Directors and Crematorium Operators and to help increase Customers' awareness of the total cost of the services they may require. To the extent that Customers are able and willing to do so, these provisions are intended to help them compare the prices and services of different Funeral Directors and Crematorium Operators so that they can assess what best suits their needs and budget. The greater upfront price transparency required by Article 3 is also intended to make it less likely that Customers are surprised by the final cost of a funeral.
19. Article 3(1) requires a Funeral Director to display the following price information in a clear and prominent manner:
 - (a) The Standardised Price List, which includes the products and services covered in the CMA Attended Funeral Price and the CMA Unattended Funeral Price.
 - (b) The Additional Options Price List.
 - (c) The price information provided to it by Crematorium Operators in accordance with Article 8.
20. A Funeral Director must ensure that the price information displayed under Article 3(1) is accurate and up to date.

21. The requirement to display the price information in Article 3(1) does not preclude a Funeral Director from providing other price information to Customers.

Standardised Price List

22. The Standardised Price List displayed and supplied to Customers by Funeral Directors under Article 3 must use the terms and format set out in Part A of Schedule 1 to the Order. The only changes that may be made to the terms and format of the Standardised Price List displayed and supplied to Customers by Funeral Directors under Article 3 are those that are required under Article 3(3) and set out in Part B of Schedule 1 to the Order.
23. The changes set out in Part B of Schedule 1 to the Order are further described in paragraphs 27 to 31 below.
24. Neither Article 3 nor Schedule 1 to the Order preclude a Funeral Director from adopting its own branding on the Standardised Price List, such as colour and font.
25. The terms 'CMA Attended Funeral' and 'CMA Unattended Funeral' must not be used in the Standardised Price List and instead are to be referred to as 'Attended Funeral' and 'Unattended Funeral'.
26. On the Standardised Price list (under the heading 'Attended Funeral'), a Funeral Director must display both a headline (total) price (the CMA Attended Funeral Price) and a separate price for each of the six listed items that collectively comprise the CMA Attended Funeral. The price of each individual item of the CMA Attended Funeral must be greater than £0. The sum of the prices of the individual items of the CMA Attended Funeral must equal the total price of the CMA Attended Funeral.

Permitted changes to the Standardised Price List

27. Part B of Schedule 1 to the Order sets out the changes to the Standardised Price List that a Funeral Director is required to make to include the applicable prices where they offer Attended Funerals, Unattended Funerals or both Attended Funerals and Unattended Funerals. It also sets out the specific changes that must be made to the Standardised Price List by a Funeral Director who offers Attended Funerals to describe the coffin provided and to explain where the deceased person will be kept prior to the funeral.
28. A Funeral Director who only offers Unattended Funerals (Crematorium Unattended Services and/or Direct Burials) is not required to provide, on the

Standardised Price List, the CMA Attended Funeral Price or a separate price for the constituent elements of the CMA Attended Funeral. However, in that case, a Funeral Director must state 'Not offered' instead of the CMA Attended Funeral Price and '-' instead of a price for the constituent elements of the CMA Attended Funeral (in addition to providing the remaining fee and other information on the Standardised Price List, which includes the Unattended Funeral Price). This exclusion is intended to cover those parties who provide Unattended Funerals and principally what are known commonly as direct or unattended burials or cremations.

29. Where a Funeral Director, who only offers Unattended Funerals, offers Direct Burials but not Crematorium Unattended Services, a Funeral Director must replace the headline price for Cremation (funeral director's charges plus cremation fee) with the words 'Not offered' in the section of the Standardised Price List titled Unattended Funeral.
30. Where a Funeral Director, who only offers Unattended Funerals, offers Crematorium Unattended Services but not Direct Burials, a Funeral Director must replace the headline price for Burial (funeral director's charges only) with the words 'Not offered' in the section of the Standardised Price List titled Unattended Funeral.
31. A Funeral Director who only offers Attended Funerals is not required to provide, on the Standardised Price List, the CMA Unattended Funeral Price. However, in that case, a Funeral Director must replace the headline price for Burial (funeral director's charges only) and for Cremation (funeral director's charges plus cremation fee) with the words 'Not offered' in the section of the Standardised Price List titled Unattended Funeral.

Additional Options Price List

32. The Additional Options Price List must include the full range of additional products and services offered by the Funeral Director. This is to ensure that Customers are aware of the additional products and services offered by the Funeral Director and the prices of those additional products and services.
33. The full range of additional products and services means all the products and services that the Funeral Director offers to Customers. This does not include those products and services that the Funeral Director only provides to Customers if they specifically request them.

Crematoria price information

34. A Funeral Director must update the price information provided to it by a Crematorium Operator in accordance with Article 8 before any price change comes into effect. Crematorium Operators are required to give Funeral Directors at least 15 working days' notice of any such change in accordance with Article 8(1). In the event that the price information to be provided to a Funeral Director by a Crematorium Operator in accordance with Article 8 is not available to a Funeral Director by the date that Part 2 that of the Order comes into effect, the obligations to display that information under Article 3(1)(c), 3(6), 3(8) and 3(9) apply to that Funeral Director 15 working days after the date that Part 2 of the Order comes into effect.

Where to display the information in Article 3(1)

35. A Funeral Director must display the price information in Article 3(1) (ie the Standardised Price List, the Additional Options Price List and the price information provided to a Funeral Director by Crematorium Operators in accordance with Article 8) in the following places:
- (a) Within any Branch it may have.
 - (b) On its website(s) if it has any website(s).
36. If a Funeral Director has any Branches, it must also display the Standardised Price List for that Branch in the Branch window where practicable, for example, unless the Branch window is too small or is inaccessible, as well as displaying it inside the Branch.
37. For a Funeral Director with more than one Branch, the Standardised Price List displayed on the Branch window, inside the Branch and on the Branch website, must include the price information for that Branch.
38. If a Funeral Director has one or more websites, it must display the price information required under Article 3(1) on its website(s). A website must display the relevant price information required by Article 3(1) for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant price information required by Article 3(1) for those web-based Funeral Director Services.
39. If a Funeral Director does not have a website, it must display the Standardised Price List, and the price information of Crematorium Operators specified in Article 3(1)(c), on any other online channels or platforms from which it markets itself. Online channels or platforms from which it markets itself means any channels or platforms where a Funeral Director provides

information to Customers on its products and services, such as Facebook or Instagram. Where a Funeral Director provides the price information on its website(s), it may choose to provide the price information on any other online channels or platforms from which it markets itself as well but it is not required under the Order to do so.

Supply of physical copies of the Standardised Price List

40. A Funeral Director must supply to a Customer upon request a physical or electronic copy of the Standardised Price List and the price information of Crematorium Operators specified in Article 3(1)(c).
41. A Funeral Director must also offer to supply a physical copy of the Standardised Price List and the price information of Crematorium Operators specified in Article 3(1)(c) to any Customer who is unable to visit the Branch and does not have access to the website or online channel or platform.

In a clear and prominent manner

42. The requirements for the price information in Article 3 (and Part A of Schedule 1 to the Order), the information specified in Article 4, and the disclosure of interests in Article 5 to be displayed in a 'clear and prominent manner' mean that the information must be:
 - (a) legible and written in plain and intelligible language;
 - (b) easy to find irrespective of whether it is displayed in a physical format or online;
 - (c) prominent within its particular location; and
 - (d) brought to the Customer's attention in such a way that the average Customer would be aware of it. This means that a Funeral Director must actively draw the information to the Customer's attention in an appropriate manner.
43. For the requirement to display the Standardised Price List in a Branch window, a display of anything less than A4 for a poster or a similarly prominent digital display (eg a floor- or wall-mounted computer monitor) is not considered clear and prominent.
44. Inside a Branch, the price information in Article 3(1) (and Part A of Schedule 1 to the Order), the information specified in Article 4 and the disclosure of interests in Article 5 must be displayed in an area frequented by Customers and not, for example, behind a counter. With the exception of the Additional

Options Price List, the display of the price information in Article 3(1) (and Part A of Schedule 1 to the Order), the information specified in Article 4 and the disclosure of interests in Article 5 on anything less than an A2 poster or similarly prominent digital display is not considered clear and prominent. The exception to this would be if there is insufficient available space inside the Branch to display an A2 poster or similarly prominent digital display. Under these circumstances, the Funeral Director must display the required information on no smaller than an A3 poster.

45. The Standardised Price List must be displayed on a dedicated separate poster or similarly prominent digital display. It will be for the Funeral Director to determine whether the other information (ie the price information provided to it by Crematorium Operators in accordance with Article 8, the information specified in Article 4 and the disclosure of interests in Article 5) is displayed together or on separate posters.
46. In relation to the display inside a Branch of the price information provided to a Funeral Director by Crematorium Operators in accordance with Article 8, the headline price, that is to say the prices provided under Article 8(5) and the times when these prices apply, must be displayed in a way similar to that explained in paragraphs 44 and 45. The A2 poster or similarly prominent digital display can include the price information for multiple local crematoria. The other information specified in Article 8 must also be made available to Customers inside a Branch in a clear and prominent manner. This could be within a clearly labelled folder in close proximity to the poster display and easily accessible for Customers.
47. The Additional Options Price List must also be made available in Branch but does not have to be displayed on a poster in a clear and prominent manner.
48. Where a Funeral Director has one or more websites:
 - (a) the information in Part A of Schedule 1 to the Order, the Standardised Price List, must be displayed in a PDF titled 'Standardised Price List'; and
 - (b) the information specified in Article 4 and the disclosure of interests in Article 5 must be displayed in separate, appropriately titled PDFs.
49. A website must display the PDFs for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant PDFs for those web-based Funeral Director Services.
50. The PDFs must be displayed on a page no more than one click away from the homepage, with any link to that page prominently labelled and clearly visible

on the homepage so the nature of the information to which it leads is clear. This requirement applies only to the Branch homepage or web-based Funeral Director Services homepage and not any other page that the customer may land on through a web search.

51. The obligation to display this information in PDF is intended to enable it to be easily downloaded and printed by Customers, as this may help them assess and compare the services and prices of different Funeral Directors. It is also intended to help the CMA to collect pricing data from across the sector for monitoring purposes. This obligation does not prevent a Funeral Director from displaying this information on its website(s) in other formats as well.
52. If a Funeral Director's website is technically unable to host PDF documents on its website, it must display the Standardised Price List, the information specified in Article 4 and the disclosure of interests in Article 5 in html format.

What a Funeral Director must offer

53. Article 3(10) requires a Funeral Director to offer the CMA Attended Funeral and, if a Customer wishes to purchase an Attended Funeral as described on the Standardised Price List, the Funeral Director must supply it to the Customer. However, Article 3(11) sets out an exception and states that a Funeral Director who only offers Unattended Funerals (ie Crematorium Unattended Services and/or Direct Burials) is not required to offer the CMA Attended Funeral. For the avoidance of doubt, a Funeral Director who offers attended direct funerals must offer the CMA Attended Funeral and provide a price for the CMA Attended Funeral on the Standardised Price List.
54. Article 3(12) requires a Funeral Director who offers Unattended Funerals to offer the CMA Unattended Funeral. If a Customer wishes to purchase an Unattended Funeral as described on the Standardised Price List, the Funeral Director must supply it to the Customer. For the avoidance of doubt, a Funeral Director who does not offer Unattended Funerals is not required to offer the CMA Unattended Funeral.
55. The requirement to offer the CMA Attended Funeral and the CMA Unattended Funeral does not preclude a Funeral Director from offering a Customer other products, services or packages, such as those included on the Additional Options Price List. A Funeral Director may also provide bespoke products or services if a Customer requests them.
56. The CMA Attended Funeral and the CMA Unattended Funeral must be provided at the price displayed and inclusive respectively of all elements listed in Part C and Part D of Schedule 1 to the Order (as relevant) and in

accordance with the minimum standards set out in Schedule A to this Explanatory Note. The Unattended Funeral Price for a cremation must be presented inclusive of the cremation fee.

57. As set out in Article 3(13), a Funeral Director may also offer products and services which are an alternative to the CMA Attended Funeral, or are additional to those shown in Part C of Schedule 1, which may reflect regional, national or cultural needs or preferences, such as those included on the Additional Options Price List. If a Customer does not wish to purchase one or more of the elements included in the CMA Attended Funeral, a Funeral Director can remove these elements at its discretion and apply an appropriate discount to the total price of the CMA Attended Funeral if a Funeral Director chooses to do so. The Funeral Director must explain to the Customer which elements of the CMA Attended Funeral can be removed and whether or not a discount will be applied under these circumstances.
58. The duty to provide Customers with the price of each item on the Standardised Price List does not mean that a Funeral Director must offer each item included in the CMA Attended Funeral as a separate product or service, but a Funeral Director may choose to do so. This does not affect the duty on a Funeral Director to offer a Customer the CMA Attended Funeral and the CMA Unattended Funeral at the price displayed.

Modifying the minimum standards

59. The CMA may, through its own initiative or in response to a request from an interested party, modify the minimum standards relating to the CMA Attended Funeral and the CMA Unattended Funeral set out in Schedule A to the Explanatory Note to this Order if the conditions set out in Article 3(15) are met.

Terms of business

60. The aim of Article 4 is to support Customers in choosing a Funeral Director on the basis of relevant information which may influence that choice.
61. Article 4 requires a Funeral Director to display the following information in a clear and prominent manner:
 - (a) the amount of any deposit;
 - (b) when any such deposit and the final balance must be paid;

- (c) the payment options, including whether interest is payable, which the Funeral Director offers to a Customer in respect of payment of any deposit made and final balance; and
- (d) any charges which the Funeral Director will make for late payment of sums due.

62. A Funeral Director may display other information in addition to that specified in Article 4, noting that the items specified in Article 4 are distinct from any broader terms and conditions that a Funeral Director may have, but it is not a requirement of the Order to do so.

Where to display the information specified in Article 4

63. Article 4 requires a Funeral Director to display the information specified in Article 4 in a clear and prominent manner in the following places:

- (a) Within any Branch it may have.
- (b) On its website(s) if it has any websites(s).

64. For a Funeral Director with more than one Branch, the information specified in Article 4 displayed inside the Branch and on a Branch website must represent the relevant information for that Branch.

65. If a Funeral Director has one or more websites, it must display the information specified in Article 4 on its websites. A website must display the relevant information for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant information for those web-based Funeral Director Services.

66. If a Funeral Director does not have a website, it must display the information specified in Article 4 on any other online channels or platforms from which it markets itself. Online channels or platforms from which it markets itself means any channels or platforms where a Funeral Director provides information to Customers on its products and services, such as Facebook or Instagram. Where a Funeral Director provides the information specified in Article 4 on its website(s), it may choose to provide the information on any other online channels or platforms from which it markets itself as well but it is not required under the Order to do so.

Supply of physical copies of the information specified in Article 4

67. A Funeral Director must supply to a Customer upon request and in good time prior to the Customer entering a contract with the Funeral Director, a physical or electronic copy of the information specified in Article 4.
68. A Funeral Director must also offer to supply a physical copy of the information specified in Article 4 to any Customer who is unable to visit the Branch and does not have access to the website or online channel or platform.

In a clear and prominent manner

69. The requirements for the information specified in Article 4 to be displayed in a 'clear and prominent manner' mean that the information must be:
 - (a) legible and written in plain and intelligible language;
 - (b) easy to find irrespective of whether it is displayed in a physical format or online;
 - (c) prominent within its particular location; and
 - (d) brought to the Customer's attention in such a way that the average Customer would be aware of it. This means that a Funeral Director must actively draw the information to the Customer's attention in an appropriate manner.
70. Inside a Branch, the information specified in Article 4 must be displayed in an area frequented by Customers and not, for example, behind a counter.
71. It will be for the Funeral Director to determine whether the information specified in Article 4 is displayed together with the price information provided to it by Crematorium Operators in accordance with Article 8 and the disclosure of interests in Article 5 or on separate posters.
72. Where a Funeral Director has one or more websites, the information specified in Article 4 must be displayed in a separate, appropriately titled PDF.
73. A website must display the PDF for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant PDF for those web-based Funeral Director Services.
74. The PDF must be displayed on a page no more than one click away from the homepage, with any link to that page prominently labelled and clearly visible on the homepage so the nature of the information to which it leads is clear. This requirement applies only to the Branch homepage or web-based Funeral

Director Services homepage and not any other page that the customer may land on through a web search.

75. The obligation to display this information in PDF is intended to enable it to be easily downloaded and printed by Customers, as this may help them assess and compare the services and prices of different Funeral Directors. This obligation does not prevent a Funeral Director from displaying this information on its website(s) in other formats as well.
76. If a Funeral Director's website is technically unable to host PDF documents on its website, it must display the information specified in Article 4 in html format.

Disclosure of interests

77. The aim of Article 5 is to support Customers in choosing a Funeral Director on the basis of relevant information which may influence that choice.
78. Article 5 requires a Funeral Director to display in a clear and prominent manner:
 - (a) The Ultimate Owner.
 - (b) Any business or material financial interest the Funeral Director has in a price comparison website which compares Funeral Director Services and/or Crematoria Services and their respective prices.
 - (c) A register providing details of any material charitable donation, charitable contribution or payment of a gratuity to a third party connected to the funerals sector, or other form of payment which does not relate to a cost incurred or a service provided by the third party on behalf of or to the Funeral Director.

Ultimate Owner

79. The disclosure of the Ultimate Owner is intended to capture, in particular, a change of business ownership, where a large Funeral Director acquires, or has previously acquired, an independent Funeral Director and the acquired business trades under the name of the independent Funeral Director. Where there is a change in the Ultimate Owner, a Funeral Director must update the information in the Branch and on its website(s) within 15 working days of the change taking place.

Business or material financial interest in a price comparison website

80. Any business or material financial interest in a price comparison website means any ability materially to influence the management, strategic direction or commercial objectives of the price comparison website which compares Funeral Director Services and/or Crematoria Services and their respective prices. Where a Funeral Director acquires or disposes of a business or material financial interest in such a price comparison website, a Funeral Director must update the information in Branch and on its website(s) within 15 working days of the change taking place. Our approach to considering material financial interest will be consistent with the CMA's approach in merger control.

Register

81. The register must include details of any material charitable donation, contribution or payment of gratuity to a third party, or other form of payment which does not relate to a cost incurred or a service provided by the third party on behalf of or to the Funeral Director (eg fund raising), made in the previous 12 months including the name of the party involved, the amount concerned and when it was made.
82. A third party means a party connected to the funerals sector means a hospital, hospice, care home, provider of bereavement services in a hospital setting or provider of palliative care, or other similar institution.
83. A material charitable donation, contribution or payment of gratuity or other form of payment which does not relate to a cost incurred or a service provided by the third party on behalf of or to the Funeral Director means any individual or cumulative donation within any 12-month period of £250 or more.
84. A gratuity includes a small payment or tip given to third parties, such as mortuary attendants, grave diggers and chapel attendants.
85. The requirement to disclose any material charitable donation contribution or payment of a gratuity to a third party, or other form of payment which does not relate to a cost incurred or a service provided by the third party on behalf of or to the Funeral Director is not intended to prevent charitable donations being made to any such institution or to fetter a Funeral Director's fund-raising activities. Instead, it is intended to promote greater transparency and to enable Customers to be aware of any kind of relationship, including altruistic relationships, between such an institution and the Funeral Director they may decide to choose. It covers payments and donations to any third parties that may have a role in influencing Customers' choice of Funeral Director.

86. Funeral Directors are not required to disclose on the register:
- (a) donations or membership fees to independent organisations (such as charity partners or rotary clubs) who may then go on to distribute such funds at their discretion, provided that the Funeral Director does not have any role in influencing distribution decisions;
 - (b) charitable donations to third parties not connected to the funerals sector, such as a community group or a local sports club;
 - (c) charitable donations made by employees in a personal capacity (eg funds raised by employees volunteering at fundraising community events in their own time);
 - (d) charitable donations collected and/or processed by a Funeral Director and made on behalf of Customers; and
 - (e) donations in kind (eg volunteering activities).
87. The register must be published on the first working day of October 2021 and updated on the first working day of April 2022 to cover any payments made since the date on which the Order was made. Thereafter, the register must be updated on the equivalent working day every 6 months to cover any payments made in the preceding 12 months.
88. The register made available to Customers in the Branch must cover any charitable donation, contribution or payment of a gratuity made by that Branch or by another company within the same group of companies to which that Funeral Director belongs when made on behalf of or in consultation with that Branch.
89. The register made available to Customers on the website of any Branch must cover any charitable donations, contributions or payments of gratuities made by all Branches.

Where to display the information in Article 5

90. Article 5 requires a Funeral Director to disclose its interests in the following places:
- (a) Within any Branch it may have.
 - (b) On its website(s) if it has any websites(s).
91. For a Funeral Director with more than one Branch, the disclosure of interests must represent the interests for that Branch.

92. If a Funeral Director has one or more websites, it must disclose its interests on its websites. A website must display the relevant interests for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant interests for those web-based Funeral Director Services.
93. If a Funeral Director does not have a website, it must disclose its interests on any other online channels or platforms from which it markets itself. Online channels or platforms from which it markets itself means any channels or platforms where a Funeral Director provides information to Customers on its products and services, such as Facebook or Instagram. Where a Funeral Director discloses its interests on its website(s), it may choose to disclose its interests on any other online channels or platforms from which it markets itself as well but it is not required under the Order to do so.

In a clear and prominent manner

94. The requirements for the disclosure of interests in Article 5 to be displayed in a 'clear and prominent manner' mean that the information must be:
 - (a) legible and written in plain and intelligible language;
 - (b) easy to find irrespective of whether it is displayed in a physical format or online;
 - (c) prominent within its particular location; and
 - (d) brought to the Customer's attention in such a way that the average Customer would be aware of it. This means that a Funeral Director must actively draw the information to the Customer's attention in an appropriate manner.
95. Inside a Branch, the disclosure of interests must be displayed in an area frequented by Customers and not, for example, behind a counter.
96. It will be for the Funeral Director to determine whether the disclosure of interests is displayed together with the price information provided to it by Crematorium Operators in accordance with Article 8 and the information specified in Article 4 or on separate posters.
97. Where a Funeral Director has one or more websites, the disclosure of interests in Article 5 must be displayed in a separate, appropriately titled PDF.

98. A website must display the PDF for each Branch to which the website relates. Where a website offers web-based Funeral Director Services, the website must display the relevant PDF for those web-based Funeral Director Services.
99. The PDF must be displayed on a page no more than one click away from the homepage, with any link to that page prominently labelled and clearly visible on the homepage so the nature of the information to which it leads is clear. This requirement applies only to the Branch homepage or web-based Funeral Director Services homepage and not any other page that the customer may land on through a web search.
100. The obligation to display this information in PDF is intended to enable it to be easily downloaded and printed by Customers, as this may help them assess and compare the services and prices of different Funeral Directors. This obligation does not prevent a Funeral Director from displaying this information on its website(s) in other formats as well.
101. If a Funeral Director's website is technically unable to host PDF documents on its website, it must display the disclosure of interests in html format.

Part 3 – Prohibited practices (Articles 6 – 7)

102. The aim of Articles 6 and 7 is to eliminate arrangements, including any exchange of services with, or payments, benefits or gifts to, a hospital, hospice, care home, provider of bereavement services in a hospital setting or provider of palliative care, or other similar institution (whether contractual or not) which could reasonably be understood to encourage, incentivise or require the institution to refer a Customer to a Funeral Director or give that Funeral Director preference over other Funeral Directors. Such practices may have an adverse impact on Customers and the competitive process, particularly if the institution concerned holds a position of trust. This may undermine the Customer's willingness to shop around or to make choices appropriate for their needs.
103. As soon as possible and at the latest within three months after the date this Order is made, Funeral Directors must terminate and cease any existing arrangements for the exchange of services with, and payments or gifts to, a person in a position of trust providing goods or services to a Customer or potential Customer. This includes but is not limited to hospitals, hospices, care homes, providers of bereavement services in a hospital setting and/or providers of palliative care.

104. Funeral Directors are also prohibited from establishing any such new arrangements, engaging in any such new exchange of services, or making any such new payments from the day after the Order is made.
105. To illustrate, the following (non-exhaustive) scenarios would be caught by this prohibition:
- (a) An arrangement whereby a payment or other gift or benefit is made by a Funeral Director to a hospital, hospice, care home, provider of bereavement services in a hospital setting or provider of palliative care, or similar institution which could reasonably be understood to incentivise or require that party to refer Customers or potential Customers to the Funeral Director or give that Funeral Director preference over other Funeral Directors.
 - (b) The production by a Funeral Director (for a hospital, hospice, care home, provider of bereavement services in a hospital setting or provider of palliative care, or similar institution) of documents or other materials for dissemination by that institution to its patients and/or families, which exclusively or prominently promote that Funeral Director's services.
106. For the avoidance of doubt, Article 6 is not intended to capture:
- (a) arrangements designed to ensure the proper treatment of the deceased, such as commercial arrangements between a Funeral Director and the institution to collect and transport the deceased to appropriate facilities for keeping the body of the deceased;
 - (b) arrangements with other third sector organisations who provide bereavement counselling services outside of a hospital setting; and
 - (c) the training of third-party staff by a Funeral Director.
107. The aim of Article 6(3) is to prohibit Funeral Directors from soliciting for business through coroner and police contracts irrespective of whether Funeral Directors are subject to a non-solicitation clause. For the avoidance of doubt, Article 6(3) does not preclude Funeral Directors from identifying themselves to the bereaved when collecting the body of the deceased, but a Funeral Director must not actively market their services (eg provide prices or discuss funeral arrangements). Article 6(3) does not prevent a Funeral Director from providing its services to the bereaved, provided that it does not offer Funeral Director Services unless requested to do so by the bereaved.

Part 4 – Crematorium Operators price information and transparency (Article 8)

108. The aim of Article 8 is to make it easier for Funeral Directors and Customers to access up-to-date price information for the Crematoria Services provided by local Crematorium Operators, and to help increase Customers' awareness of the total cost of the services they may require. To the extent that Customers are able and willing to do so, these provisions are intended to help them compare the prices and services of different local Crematorium Operators so that they can assess what best suits their needs and budget.
109. Article 8 requires a Crematorium Operator to provide Funeral Directors in their local area with price information on:
- (a) a Crematorium Standard Fee Attended Service;
 - (b) a Crematorium Unattended Service if offered by the Crematorium Operator; and
 - (c) a Crematorium Reduced Fee Attended Service if offered by the Crematorium Operator.
110. Article 8 also requires a Crematorium Operator to keep the price information updated by notifying the Funeral Directors in their local area of any change in the price information no later than 15 working days before such change has effect.
111. The price information should reflect the prices for adult cremation services (ie 18 years old or more).
112. A Funeral Director is in their local area if the Funeral Director's Branch is within a 30-minute, cortege-speed, driving distance from the Crematorium Operator. Where there is not a Funeral Director within a 30-minute, cortege-speed driving distance from the Crematorium Operator, the Crematorium Operator must provide its price information to the nearest Funeral Director. For the avoidance of doubt, this does not prevent a Crematorium Operator from supplying a Funeral Director who is not in their local area with its pricing information, and a Crematorium Operator must provide its price information to any other Funeral Director on request.
113. A Crematorium Operator must take reasonable steps to ensure that the price information that it provides to Funeral Directors is received. For example, where this information is sent by post, the Crematorium Operator should obtain proof of postage.

114. A Crematorium Operator shall include in the pricing information:
- (a) a description of what is included in, and is excluded from, the services it provides;
 - (b) the length of time permitted for the service, and whether this includes the time allowed for mourners to gather and leave the crematorium;
 - (c) any additional charges for a service taking place on particular days or at a particular time (eg for services taking place on a weekend);
 - (d) any charge made for exceeding the permitted time or late arrival and/or departure of the cortege; and
 - (e) where possible, a breakdown of the headline price into the:
 - (i) total price for all core services (eg cremation forms and environmental levies and any other elements that are necessary for the cremation service); and
 - (ii) individual prices for any optional services, including (but not limited to) the purchase of additional cremation service time; use of music facilities; webcasting; organists; visual tributes; memorials; and container for ashes, scattering of ashes, storage of ashes, collection of ashes (by a Funeral Director or the bereaved from the crematorium) and delivery of ashes (by the crematorium to a Funeral Director or the bereaved).
115. Article 8(8) requires a Crematorium Operator to display in a clear and prominent manner at each crematorium, and on each crematorium website if it has one, the price information specified in Articles 8(5) and 8(6).
116. Where a Crematorium Operator does not have a website but uses other online channels or platforms to market itself, it must make the price information available on those other online channels or platforms.
117. Online channels or platforms which it uses to market itself means any channels or platforms where a Crematorium Operator provides information to Customers on its products and services, such as Facebook or Instagram.
118. Where a Crematorium Operator provides the price information on its website(s), it may choose to also provide the price information on any other online channels or platforms which it uses to market itself but it is not required to do so under the Order.

119. The requirements for the price information to be displayed in a 'clear and prominent manner' mean that the information must be:
- (a) legible and written in plain and intelligible language;
 - (b) easy to find irrespective of whether it is displayed in a physical format or online;
 - (c) prominent within its particular location; and
 - (d) brought to the Customer's attention in such a way that the average Customer would be aware of it. This means that a Crematorium Operator actively draws the information to the Customer's attention in an appropriate manner.
120. In a crematorium, the price information must be displayed in an area frequented by Customers (eg an office where arrangements are made or a family room), and a display of anything less than A2 size for a poster or a similarly prominent digital display (eg a floor- or wall-mounted computer monitor) would not be considered clear and prominent unless there is insufficient available space to display an A2 poster. Under these circumstances, the Crematorium Operator must display the required information on an A3 poster.
121. When a Crematorium Operator displays any of the price information on its website(s), it must do so in a PDF titled 'Price Information'. If a Crematorium Operator has multiple Customer-facing websites, such as a dedicated website for each of its crematoria, a Crematorium Operator must display a PDF on each website containing the price information that is relevant to that crematorium. The PDF must be displayed on a page no more than one click away from the homepage, with any link to that page prominently labelled and clearly visible on the homepage so the nature of the information to which it leads is clear. This requirement applies only to the crematorium homepage and not any other page that the customer may land on through a web search.
122. The duty to display this information in PDF is intended to enable it to be easily downloaded and printed by Customers, as this may help them assess and compare the services and prices of different Crematorium Operators. It is also intended to help the CMA to collect pricing data from across the sector for monitoring purposes. This duty does not prevent a Crematorium Operator from displaying this information on its website(s) in other formats as well. If a Crematorium Operator is technically unable to host PDF documents on its website, it must display the price information in html format.

123. A Crematorium Operator must also supply upon request its price information to Customers.

Part 5 – Information required by the CMA (Articles 9 – 10)

124. The purpose of Articles 9 and 10 is to provide information to the CMA to enable it to:

- (a) actively monitor market outcomes in the funerals sector;
- (b) inform the CMA Board's decision to consider whether to consult on a future MIR; and
- (c) publish an annual review of market outcomes in the funerals sector.

125. The information specified in Articles 9 and 10 must be sent to the CMA by email to general.enquiries@cma.gov.uk and the email titled 'Funerals Order – information required by the CMA'.

Information required by the CMA from Funeral Directors

Funeral Directors with five or more branches

126. Articles 9(1) to 9(3) require a Funeral Director operating from five or more Branches to supply the CMA with the total number of funerals it has arranged for Customers and the total revenue (excluding disbursements) gained from the provision of Funeral Director Services. The reporting dates (ie the dates when this information must be provided to the CMA) and the reporting periods (ie the periods which this information should cover) are set out in Articles 9(1) to 9(3). The information in Articles 9(1) to 9(3) must be provided separately for each Branch and in aggregate form for all Branches. The format in which this information must be provided is set out in Part A of Schedule 2 to the Order.

127. Any Funeral Director operating from five or more Branches is subject to this requirement. Funeral Directors listed in Schedule B to the Explanatory Note are those Funeral Directors that the CMA is aware of as operating from five or more Branches. For the avoidance of doubt, inclusion (or exclusion) of a Funeral Director on (or from) this list does not determine whether a Funeral Director is (or is not) subject to this requirement. The determining factor for a Funeral Director being subject to this requirement is whether it operates from five or more Branches.

128. A Funeral Director operating from fewer than five Branches is only required to supply this information if and when requested to do so by the CMA. The CMA

may request this information if, for example, it deems it necessary to monitor market outcomes across a larger proportion of the funerals sector.

129. If a Funeral Director opens a Branch or Branches that results in it operating from five or more Branches, it must notify the CMA within 28 days of it opening its fifth Branch and supply the CMA with the information specified in Article 9(12) and in line with the reporting dates and reporting period set out in Articles 9(1) to 9(3).
130. If a Funeral Director ceases to have five or more branches, it may notify the CMA and request to be released from the obligation to provide the information specified in Articles 9(1) to 9(3) and be removed from Schedule B to the Explanatory Note. Subject to receiving notice from the CMA, the Funeral Director will no longer be required to provide the information specified in Articles 9(1) to 9(3) unless the CMA requests this information under Article 9(10).

Funeral Directors with ten or more branches

131. Articles 9(5) and 9(6) require a Funeral Director operating from ten or more branches to supply the CMA with the total number of funerals it has arranged for Customers and the total revenue (excluding disbursements) gained from the provision of Funeral Director Services in aggregated form and disaggregated form, showing the totals for:
 - (a) CMA Attended Funerals;
 - (b) any other Attended Funerals supplied by the Funeral Director;
 - (c) CMA Unattended Funerals; and
 - (d) any other Unattended Funerals supplied by the Funeral Director.
132. The reporting dates and the reporting periods are set out in Articles 9(1) to 9(3). The information in Articles 9(5) and 9(6) must be provided separately for each Branch and in aggregate form for all Branches. The format in which this information must be provided is set out in Part B of Schedule 2 to the Order.
133. Funeral Directors must provide a description of the types of funeral that are covered in the other Attended Funerals and other Unattended Funerals categories. If a Customer purchases additional items to those specified in the CMA Attended Funeral or CMA Unattended Funeral, the purchase of this funeral should be captured under the any other Attended Funerals or any other Unattended Funerals categories (ie it should no longer be categorised as a CMA Attended Funeral or CMA Unattended Funeral). If the aggregated

information does not equate to the disaggregated information (eg because the revenue information required does not capture child funerals or funerals delivered against pre-paid funeral plans), the Funeral Director must also provide an explanation of the variance.

134. Any Funeral Director operating from ten or more Branches is subject to this requirement. Funeral Directors listed in Schedule C to the Explanatory Note are those Funeral Directors that the CMA is aware of as operating from ten or more Branches. For the avoidance of doubt, inclusion (or exclusion) of a Funeral Director on (or from) this list does not determine whether a Funeral Director is (or is not) subject to this requirement. The determining factor for a Funeral Director being subject to this requirement is whether it operates from ten or more Branches.
135. A Funeral Director operating from fewer than ten Branches is only required to supply this information if and when requested to do so by the CMA. The CMA may request this information if, for example, it deems it necessary to monitor market outcomes across a larger proportion of the funerals sector.
136. If a Funeral Director opens a Branch or Branches that results in it operating from ten or more Branches, it must notify the CMA within 28 days of it opening its tenth Branch and supply the CMA with the information specified in Article 9(13) and in line with the reporting dates and reporting period set out in Articles 9(1) to 9(3).
137. If a Funeral Director ceases to have ten or more branches, it may notify the CMA and request to be released from the obligation to provide the information specified in Articles 9(5) and 9(6) and be removed from Schedule C to the Explanatory Note. Subject to receiving notice from the CMA, the Funeral Director will no longer be required to provide the information specified in Articles 9(5) and (6) unless the CMA requests this information under Article 9(11).

Information required by the CMA from Crematorium Operators

138. Articles 10(1) to 10(3) requires a Crematorium Operator to provide the CMA with the total number of cremations it has carried out and the total revenue gained from Crematoria Services. The reporting dates and the reporting periods are set out in Articles 10(1) to 10(3).
139. The information in Articles 10(1) to 10(3) must be provided separately for each quarter for each crematorium in aggregate form and also in disaggregated form, showing the totals for:
 - (a) Crematorium Standard Fee Attended Services;

- (b) Crematorium Reduced Fee Attended Services if offered by the relevant Crematorium Operator;
 - (c) Crematorium Unattended Services if offered by the relevant Crematorium Operator; and
 - (d) any other services provided by the Crematorium Operator that are not captured by (a), (b) and (c).
140. The information in Articles 10(1) to 10(3) must be set out as shown in Part C of Schedule 2 to the Order.
141. Revenue must include all revenue generated from Crematoria Services and must exclude revenue generated from burial services. Crematorium Operators should provide revenue from memorials related to Crematoria Services separately. Crematorium Operators must separate revenue from memorials generated from Crematoria Services and burial services using an appropriate allocation method and explain how they have allocated this revenue to Crematoria. Revenue from memorials must include all memorial fees collected during the required period. If the disaggregated information does not equate to the aggregate information provided, the Crematorium Operator must provide an explanation of the variance.

Part 6 – Enforcement (Articles 11 – 14)

142. Article 11 requires certain Funeral Directors and all Crematorium Operators to send annual compliance statements to the CMA by email (or post if email is not available). Schedule D of this Explanatory Note provides an indicative template compliance reporting form that may be used by Funeral Directors. Schedule E of this Explanatory Note provides an indicative template compliance reporting form that may be used by Crematorium Operators.
143. The compliance statement should confirm that the Funeral Director or Crematorium Operator has complied with all the requirements in the Order that apply to the Funeral Director or Crematorium Operator.
144. If a Funeral Director or a Crematorium Operator is aware that it is not compliant with any part of the Order, it must report this non-compliance to the CMA within 14 days of becoming aware that it is not compliant. Early notification allows for the CMA to work with the party concerned on actions to end the breach quickly and effectively and to understand whether specific enforcement action is necessary to end any breach. This approach facilitates the efficient use of investigative resource both in the CMA and the party concerned.

145. Article 12 provides that section 174 of the Act shall apply to the enforcement functions of the CMA under the Order.
146. Article 13 provides that the CMA may give directions as to compliance with the Order and it may vary or revoke any directions so given.
147. Article 14(1) provides that any person to whom the Order applies shall have a duty, as may be required by the CMA, to provide any information and documents for the purposes of enabling the CMA to monitor the carrying out of the Order, or to review the effectiveness of the operation of the Order.
148. Article 14(2) provides that any person to whom the Order applies shall have a duty, as may be required by the CMA, to keep and produce those records specified in writing by the CMA that relate to the operation of any provision of the Order.
149. Article 14(3) provides that any person to whom the Order applies and whom the CMA believes to have information which may be relevant to the monitoring or the review of the operation of any provision of the Order shall have a duty, as may be required by the CMA, to attend and provide such information in person.
150. Article 14(4) provides that, subject to Part 9 of the Act, the CMA may publish any information or documents that it has received in connection with the monitoring or the review of the Order or any provision of the Order for the purpose of assisting the CMA in the discharge of its functions under or in connection with the Order.

Schedules to the Order

Schedule 1 – Price information

151. This Schedule contains the details of the price information which Funeral Directors must display and the format in which this must be done in accordance with Part A of Schedule 1 to the Order.

Attended Funeral

152. The Attended Funeral Price must reflect the price of the items set out in Part C of Schedule 1 to the Order and comply with the minimum standards set out in Schedule A to the Explanatory Note.
153. The Attended Funeral Price is intended to reflect the price for an at-need funeral for an adult (age 18+) of standard size in the UK and include:

- (a) all relevant staff costs;
 - (b) collection of the deceased person from the place of death, which includes but is not limited to a private residence, hospital, hospice or care home;
 - (c) the itemised services that would normally be expected to be provided at the Funeral Director's Branch during normal office hours;
 - (d) one or more meetings during which appropriate instructions can be taken from the Customer;
 - (e) appropriate arrangements for care of the deceased person prior to the funeral, such as preparing the body for funeral (including (non-ritual) washing and dressing the body in a simple shroud or gown/robe);
 - (f) a service to take place at a date, time and location agreed between the Funeral Director and the Customer, taking into account as fully as possible the wishes and needs of the Customer;
 - (g) the Funeral Director's presence to coordinate events on the day of the service; and
 - (h) a sufficient number of staff to transfer the coffin from the hearse or other appropriate vehicle into the building where the service will take place or to the graveside, using a wheeled bier or other appropriate equipment.
154. Burial Fee: the price range displayed is to be for cemeteries in the local area for a weekday, single-depth, 'lawn' grave interment in a coffin, for (if applicable) a resident of the local authority, and where "interment" means the charge for digging and filling in the grave.
155. Cremation Fee: the price range indicated is for crematoriums in the local area for the shortest peak-time weekday slot in the crematorium chapel, inclusive of time for mourners to arrive and leave the crematorium, for (if applicable) a resident of the local authority, and inclusive of the Medical Referee's fee.

Unattended Funeral

156. In so far as the Unattended Funeral Price displayed reflects the price of the Funeral Director Services, it is to reflect the elements set out in Part D of Schedule 1 to the Order; and comply with the minimum standards set out in Schedule A to the Explanatory Note.

Further disclosures

157. In order to support Customers in deciding which products and services are most appropriate for their needs and budget, when discussing the Standardised Price List, Funeral Directors would be expected (but not required) to disclose the information below, to the extent relevant to the Customer's circumstances.
158. For the avoidance of doubt, Funeral Directors are expected (but not required) to disclose this information in discussion with the Customer and without altering the Standardised Price List.

Attended Funeral

159. If applicable, the difference between Branch and Non-branch premises, as well as all Non-branch locations at which the body of the deceased will be kept in addition or as an alternative to Branch premises.
160. Any limits on viewing of the deceased before additional charges apply.
161. Any limits on where the burial or cremation can take place.

Unattended Funeral

162. If applicable, the difference between Branch and Non-branch premises, as well as all Non-branch locations at which the body will be kept in addition or as an alternative to Branch premises.
163. If applicable, the body of the deceased may be transferred to the cemetery or crematorium in a shared vehicle.

Burial fee

164. Whether the fee is or is not inclusive of use of the cemetery chapel.
165. That weekend/public holiday interment fees are more expensive (if applicable).
166. That double- or triple-depth grave interments (if permitted) may be more expensive.
167. That traditional, woodland or wild meadow grave interments may be more expensive.
168. That casket interments may be more expensive.

169. That interment fees for non-residents may be higher.
170. That customers may choose to use a different, non-local cemetery, although this may have an impact on the Funeral Director's charges.
171. That late arrival/late departure fees, where these are the result of circumstances beyond the Funeral Director's control, may be passed onto the customer.
172. That cancellation fees may be charged.
173. That headstones/memorials/other grave furniture etc. will have an associated additional charge.

Cremation fee

174. That (if applicable) off-peak weekday slots are cheaper.
175. That (if applicable) weekend slots are more expensive.
176. That (if applicable) longer slots are more expensive.
177. That costs for non-residents may be higher.
178. That customers may choose to use a different, non-local crematorium, although this may have an impact on the Funeral Director's charges.
179. That use of chapel facilities (audio, visual, broadcasting, webcasting, recording) may have an impact on the cost of the cremation.
180. That late arrival/late departure fees, where these are the result of circumstances beyond the funeral Director's control, may be passed onto customers.
181. That cancellation fees may be charged.
182. That, if required, doctors' fees will be payable.
183. That memorials (entry in book of remembrance, plaques etc.) will have an associated additional charge.
184. That (if applicable) the Funeral Director will charge to collect/deliver the ashes.

Schedule 2 – Information required by the CMA

185. The Schedule contains details of the revenue and volume information required from certain Funeral Directors and all Crematorium Operators by the CMA to enable the CMA to monitor the funerals sector.

Schedule A – Minimum standards for the products and services on the Standardised Price List

In providing the CMA Attended Funeral Price and the CMA Unattended Funeral Price, a Funeral Director must adhere to the following minimum standards in respect of the parts of the Standardised Price List in Schedule 1, Part A of the Order set out below:

1. Providing a suitable coffin – suitable means a wood effect veneer coffin or higher-grade coffin.
2. Collecting and transporting the deceased person from the place of death (normally within 15 miles of the funeral director's premises) into the funeral director's care – the Funeral Director must ensure that the vehicle is in good working order, fit for purpose and suitable by normal industry standards.
3. Care of the deceased person before the funeral in appropriate facilities – the Funeral Director must ensure that the deceased person is stored in appropriate facilities, with these being those considered to be in good working order, fit for purpose and suitable by normal industry standards.
4. At a date and time you agree with the funeral director, taking the deceased person direct to the agreed cemetery or crematorium (normally within 20 miles of the funeral director's premises) in a hearse or other appropriate vehicle – the Funeral Director must ensure that the vehicle is in good working order, fit for purpose and suitable by normal industry standards.

Schedule B – Funeral Directors with five or more Branches

A B Walker and Son Ltd

A J Wakely and Sons Ltd

A. W. Lymn The Family Funeral Service Limited

Alan Greenwood & Sons Limited

Anderson Maguire Limited

Arnold Funeral Service Limited

Arthur Gresty Ltd

Austins Funeral Directors

Beverley Funerals Limited

Brian Sharples and Son Limited

Bristol Funeral Directors Limited

Bristol Funeral Directors Ltd

Brodies Funeral Services Ltd

C.P.J. Field & Co. Limited

Central England Co-operative Limited

Charles Stephens Funeral Directors Ltd

Chelmsford Star Co-operative Society Limited

Co-operative Group Limited

Cowley and Son Ltd

Dignity plc

East of England Co-operative Society Limited

Ernest Heal & Sons Funeral Directors Ltd

Evershed Brothers Ltd

F A Albin and Sons Ltd

F C Douch and Son (Funerals) Ltd (trading as Douch and Small)

Ford Mears and Partners Limited

Fred Hamers Funeral Services Ltd

Funeral Directors and Monumental Masons (trading as Overmass & Chapple, A G Down, E A Dodd & Son and W G Potter)

Funeral Partners Ltd

Garner's Funeral Service Ltd

Gillotts Funeral Service Limited

Gore Bros Ltd

Grassby & Sons Limited

H D Tribe Ltd

Heart of England Co-operative Society Ltd

Holmes & Family Funeral Directors

J E Davies and Son Limited

J G Fielder and Son

Jepson Funerals Limited

John Heath & Sons Limited

Leverton & Sons Ltd

Lincolnshire Co-operative Limited

Lodge Brothers (Funerals) Ltd

M Garton and Son Limited

M K Ginder Ltd

Manor House Funeral Services Ltd

McAllister & Considine Ltd (trading as G McAllister Funeral Directors)

Mears and Jackson Limited

Melville and Co Ltd

Neville Funeral Service Ltd

Paul J King Funeral Directors

R Banks and Son (Funerals) Ltd

R Gwinnell & Sons (Memorials) Limited

Rosedale Funeral Home Ltd

Rowland Brothers Limited

S Stibbards and Sons Ltd

Scottish Midland Co-Operative Society Limited

Sherry Funeral Service Ltd

Stoneman Funeral Services Ltd

T Cribb & Sons Limited

Tamworth Co-operative Society Limited

Tapper & Son (Poole) Limited (trading as Tapper Funeral Service)

The Family Funeral Service Limited

The Hunnaball Family Funeral Group Limited

The Independent Family Funeral Directors Ltd (trading as Fosters Family Funeral Directors)

The Midcounties Co-operative Limited

The Southern Co-operative Limited

W Uden and Sons Ltd

W.A. Truelove and Son Ltd

Walter C Parson Ltd

Welham Jones Limited

William Purves Funeral Directors Ltd

Schedule C – Funeral Directors with ten or more Branches

A J Wakely and Sons Ltd

A. W. Lymn The Family Funeral Service Limited

Alan Greenwood & Sons Limited

Anderson Maguire Limited

Austins Funeral Directors

C.P.J. Field & Co. Limited

Central England Co-operative Limited

Co-operative Group Limited

Dignity plc

East of England Co-operative Society Limited

Fred Hamers Funeral Services Ltd

Funeral Partners Ltd

Heart of England Co-operative Society Ltd

John Heath & Sons Limited

Lincolnshire Co-operative Limited

Lodge Brothers (Funerals) Ltd

R Banks and Son (Funerals) Ltd

Scottish Midland Co-Operative Society Limited

T Cribb & Sons Limited

The Independent Family Funeral Directors Ltd (trading as Fosters Family Funeral Directors)

The Midcounties Co-operative Limited

The Southern Co-operative Limited

W A Truelove and Son Ltd

Walter C Parson Ltd

William Purves Funeral Directors Ltd

Schedule D – Indicative template compliance reporting form for Funeral Directors

I [name] [position] on behalf of [name of Funeral Director] confirm that, to the best of my knowledge having made reasonable enquiries, Articles 3, 4, 5, 6, 7 and 9 of the Funerals Market Investigation Order 2021 [have] [have not] been fully complied with.

[Signature]

Signed by any one of Chief Executive Officer, Managing Director, any Non-Executive Director or any Senior Director (if the Funeral Director operates as a body corporate) OR owners of the business or any other individual with decision-making authority (if the Funeral Director operates as a sole trader or in a partnership).

Please submit the form to general.enquiries@cma.gov.uk and title your email 'Funerals Order compliance' and include any instances of non-compliance.

Schedule E – Indicative template compliance reporting form for Crematorium Operators

I [name] [position] on behalf of [name of Crematorium Operator] confirm that, to the best of my knowledge having made reasonable enquiries, Articles 8 and 10 of the Funerals Market Investigation Order 2021 [have] [have not] been fully complied with.

[Signature]

Signed by any one of Chief Executive Officer, Managing Director, any Non-Executive Director or any Senior Director (if the Funeral Director operates as a body corporate) OR owners of the business or any other individual with decision-making authority (if the Funeral Director operates as a sole trader or in a partnership)

Please submit the form to general.enquiries@cma.gov.uk and title your email 'Funerals Order compliance' and include any instances of non-compliance.