



Competition and Markets Authority

Funerals Market Order 2021



Additional Frequently Asked Questions

July 2021



CMA Funerals Market Order: Additional Questions Answered July 2021

These questions and answers have been checked with the CMA.

Standardised Price List (SPL)

Q: In the Attended Funeral price, where should I include all services provided during the funeral service as the SPL only mentions transporting the deceased to the service?

A: We have discussed this with the CMA as this is not clear on the SPL. They intend that all services provided on the day of the funeral are included in the sixth point of ATTENDED FUNERAL (funeral directors charges only) - *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.*

This is made clear in the Explanatory Note, but not on the SPL and funeral directors are not permitted to change the language or format of the SPL. We have asked that this be updated, when the SPL is reviewed, as it will not be clear to consumers either.

Q: Can I change the language or layout of the Standardised Price List?

A: With the exception of some minor adjustments, as set out in *Part B – Guide to changes that must be made to the terms and format of the Standardised Price List* on page 25 of the Order, you must complete and publish the CMA's Standardised Price List exactly as specified and it should remain on one page.

Q: The SPL is similar to my Simple Funeral package. Can I use that instead?

A: No. You are required by law to complete and publish the SPL. The requirement to display the price information in Article 3(1) of the Order does not preclude you from providing other price information to customers.

Q: The CMA state that we cannot put a value of £0.00 on the Standardised Price List. When we compile our additional costs price list there will be items that other funeral directors in the area charge for, but we do not. Could we list items with a value of £0.00 on the additional items price list, please?

A: Yes. You have far more freedom on the Additional Price Options List. It is only the Standardised Price List where it must be completed exactly as set out and with no prices shown as £0. This is so customers can choose this particular funeral and know exactly what it will cost them.



If they make any other choices, then they are not choosing the Attended/Unattended Funeral on the SPL and you can refer them to your Additional Options Price List on which you can specify a price of £0 if you wish.

Q: Am I correct that the Attended and Unattended funerals would be the same as our direct cremation of which we have three options for at the moment. I can use this model but with more of a price breakdown.

A: You must complete and publish the CMA's Standardised Price List exactly as specified. The requirement to display the price information in Article 3(1) does not preclude you from providing other price information to Customers.

Q: In section 33 of the explanatory notes it states – *“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.”* Would I be right in my understanding that this means we list additional services that would be automatically chargeable (e.g. out of hours collection/weekend funeral etc) but does not mean that we have to, for example, list our full coffin range or horse drawn hearse as the customer has not “specifically (requested) them”?

A: You must complete and publish the CMA's Standardised Price List exactly as specified. The requirement to display the price information in Article 3(1) does not preclude you from providing other price information to Customers. You have far more freedom on the Additional Price Options List to set out your pricing– and you are encouraged to make it as comprehensive as possible.

The Additional Options Price List must include all of the products and services that you offer to Customers as standard (i.e. that you make generally available to Customers) , but it does not have to include any products and services that you only provide to Customers if they specifically request them (for example, a bespoke product). So, for example, the Additional Options Price List would need to include your full coffin range, but it would not need to include a coffin that was not part of your range but which you may nevertheless agree to provide to a Customer if they specifically requested it.

Q: Does the section on the SPL referring to visiting include embalming - and is it an option that the family can make? or is it a compulsory part of funeral services to offer unembalmed visiting?

A: You must complete the Standardised Price List exactly as specified. This is so that customers can choose the CMA's Attended or Unattended Funeral and know exactly what they are paying for.

The Attended Funeral on the SPL includes viewing the deceased (without embalming).



If you offer embalming services then this needs to be listed separately. Embalming should never be considered a compulsory service and must remain the informed choice of the client.

All other options should go on your Additional Options Price List.

In discussion with you, they can opt not to take up some of the aspects of the service listed on the SPL or choose to upgrade/add other options. However, this means they are then moving away from choosing the Attended/Unattended Funeral and you can refer to your Additional Options Price List.

Q: With regards to mileage charge regarding collecting and transporting the deceased, can I increase that from 15 to 20 miles?

A: The Standardised Price List must use the terms and format set out in Part A of Schedule 1 to the Order. Therefore, you cannot increase the mileage from 15 to miles. Additional charges for mileage above 15 miles should be displayed on the Standardised Price List under Additional mileage (price per mile) under Additional Funeral Director Products and Services.

Q: With regards to the care of the deceased person before the funeral in appropriate premises, can I remove the words in brackets e.g. “(both) the funeral director’s (branch premises) (and at other) (non-branch premises)” and simply add that the deceased would be kept at my one funeral home?

A: See *Part B – Guide to changes that must be made to the terms and format of the Standardised Price List* on page 25 of the Order for details of how to complete the SPL. For example, where the deceased person will be kept only at the funeral home, the SPL should be amended to read “The deceased person will be kept at the funeral director’s branch premises”. No other changes to the wording (for example, “at my funeral home” instead of “at the funeral director’s branch premises”) are permitted.

Q: With regards to the provision of a suitable coffin, can I replace the words “this will be made from” plus the words in the brackets with Light oak veneered coffin with flat lid & plain sides? - as there isn’t enough space to add the type of fittings or the interior?

A: The Standardised Price List must use the terms and format set out in Part A of Schedule 1 to the Order. Therefore, you should state ‘this will be made from oak veneer’. You can then provide more information to customers when you discuss their requirements.

Q: As I don’t currently charge for viewing can I simply add the words No Charge?

A: You can’t put £0 or ‘Free of Charge’ against any of those six points in the section “Attended Funeral – funeral director’s charges only’. A price must be shown, that is, what it costs you to provide that service (e.g. staff time). It would be up to you as to whether you charge that fee once the customer has chosen you.



Q: On the Standardised Price List, you are required to put the cremation fee and interment fee. If you are a funeral director serving more than one crematorium or cemetery, which fee should be placed on the price list or are we allowed to put something like 'price on application'?

A: You can't put 'Price on Application' as all parts of the Attended Funeral on the SPL must have a price against them and it must be completed in full.

The price range should be the cheapest to the most expensive, rather than an average and prices should reflect costs for (point 153 of the Explanatory Note) *"for an at-need funeral for an adult (age 18+) of standard size."*

In points 154-155 of the Explanatory Note, it specifies how the prices should be calculated for both burial and cremation:

- *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.*
- *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.*

'Local' in relation to the crematorium information is defined within the Order and Note as within a 30 minute cortege-speed driving distance (or the closest if none within that range)

Q: Third party prices change several times in a year e.g. Church fees change on 1st January; Council fees change on the 1st April and Dignity Crematoria can change anytime between May & September - does that mean that every time there is a fee change, I have to change my poster?

A: The price information displayed to Customers must be accurate and up to date. In terms of the crematoria pricing, point 34 of the Explanatory Note says: *"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 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."*



Q: Collection and delivery of ashes. There would be occasions where the family would request us to deliver the ashes to them at a local address and other occasions where the family may ask us to deliver to an address across the country or abroad. Can we add the words 'to a local area' after 'collection and delivery of ashes'?

A: You must give a cost next to the delivery of ashes and must not put 'prices on request' or similar. On the Standardised Price List under Additional Funeral Director Products and Services, you can specify the price of local collection and delivery of ashes. The additional price for non-local collection/delivery can be specified on the Additional Options Price List and discussed with the customer. The additional wording must not be included on the SPL.

Displaying the SPL and other required information

Q: The Order states that two A2 posters are required in each branch, or an A2 TV screen. Is it acceptable to have one TV screen scrolling between the two posters or would we be required to have two TV screens with static details on each?

A: The Order requires that the Standardised Price List must be displayed on a separate, dedicated A2 poster or similar 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 (or similarly prominent digital display).

Q: On the A2 poster/display of headline prices from crematorium operators, Can I show a range of prices, or 'prices from'?

A: The crematorium headline pricing on an A2 poster refers to the requirement to show three different cremation prices, not just the full adult one (full adult attended price, full adult unattended price, discounted adult price – and the times these apply) - so you must provide the three headline prices for each local crem, within the 30 minute drivetime, in full and separately. All of the other required information about local crematoria can be in a folder close by.

Paragraph 46 of the Explanatory Note: *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.*

Q: If the local crematoria all change their prices at different times of the year, do I need to update my poster each time, or can I do it once a year?



A: The price information displayed to Customers must be accurate and up to date. Where there are local authority and private crematoria within 30 minutes' drive time, each changing their fees at different times of the year, each are required to give 15 days' notice of the change to the funeral director, and the funeral director then has 15 days to update the A2 poster/display.

Q: I have a range of charges for the collection of deceased people within working hours. Am I allowed to put a range in the SPL?

No. You must attribute a single cost for collection as it applies during normal office hours.

Charitable donations register

Q: Does the charitable donations register cover donations that we handle on behalf of a family that we send to a charity?

A: It covers charitable donations made by or from your company (e.g. where your firm is the donor). It does not cover charitable donations made by customers if they are simply being passed on to the relevant charity.

Q: Does the charitable donations register cover gratuities that we pay out (at no cost to the client) to such people as grave diggers and crematorium staff?

The register does cover gratuities (different from fees, for which the client should reimburse you) that you pay out anyone connected to the profession, including grave diggers and crematorium staff. These should be listed if they reach the financial threshold indicated in Article 5(1)(c).

Disclosure of information

Q: Please explain what ultimate ownership means

A: For the purposes of Article 5(1)(a) of the Order, 'Ultimate Owner' means the company name at the registered company address and/or the ultimate owner of the business if either of these are different from the trading name of the Branch or the web-based Funeral Director Services.

If your trading name is different to the company name at the registered company address, you must disclose clearly and prominently the registered name on your website and in your branches.

If your business is owned or controlled by a shareholder with a name different to your trading name, you must clearly and prominently disclose the name of the owner/controlling shareholder on your website and in your branches. This is particularly important where a business trades under the name of an independent funeral director but where the business



is in fact owned by another, larger funeral director or by a larger company who is otherwise active in the funeral industry.

This is because the CMA found that some customers rely on local brand names as a short-cut to making a thorough evaluation of the offering of a funeral director, meaning some customers make assumptions about both quality and price that may be incorrect.

**Don't forget that you
must be compliant on,
or before...**

