

8. Appointment of medical referees

- (1) The Governor may from time to time —
 - (a) appoint for the purposes of this Act, one or more medical practitioners to be a medical referee;
 - (b) cancel an appointment so made.
- (2) Where an application in the prescribed form for a permit for the cremation of a dead human body, is made by a person to a medical referee, if he is satisfied that the applicant is an administrator or other duly authorised person to hold the permit, he shall subject to the provisions of this Act, grant the permit.
- (3)(a) An application for a permit may be made by —
 - (i) an administrator;
 - (ii) a person acting with the written authority of and on behalf of the administrator; or
 - (iii) a person who satisfies a medical referee that no application for a permit is to be made by the administrator of the deceased person in respect of whom the application is made, and who shows to the medical referee a satisfactory reason why the application is not made by an administrator, and that he is a proper person to make the application.
- (b) Where the application for a permit is not made by an administrator, the person making the application shall —
 - (i) make a statutory declaration in the prescribed form setting out the grounds upon which he claims authority to make the application, and
 - (ii) supply such further information with relation to the application as the medical referee may require.
- (4)(a) A person who applies for a permit shall pay the prescribed fee to the medical referee issuing the permit.
- (b) The medical referee is entitled to retain the prescribed fee for his own use.
- (5) Where it appears to a medical referee that the death of the person in respect of whose body the application for the permit is made, whether the cause of death is shown on the death certificate of that person or not, is due to violence or unnatural causes, or if there are in his opinion suspicious circumstances surrounding the death, the medical referee shall refuse the application and report the refusal and the reason for the refusal to the Coroner residing nearest to the place where the body is lying.
- (6) Where, except as provided in the last preceding subsection, a medical referee refuses to issue a permit, the applicant may apply to the State Administrative Tribunal for a review of the decision of the medical referee.

[Section 8 inserted by No. 80 of 1953 s. 6; amended by No. 28 of 1984 s. 13; No. 55 of 2004 s. 212.]