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Commonwealth  
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## Information Relating to Deaths in Thailand

The death of a relative or a friend can be a traumatic experience. When a death occurs overseas in Thailand, family and friends in the UK, or those who were travelling/living with the deceased in Thailand, can feel additional distress if they are unfamiliar with Thai procedures and perhaps are unable to communicate in Thai.

You may be uncertain about what to do next or who to contact for advice. Staff in the Consular Directorate of the Foreign and Commonwealth Office (FCO) in London and our Embassy in Bangkok stand ready to help you as far as they can.

These notes are designed to help you through the practical arrangements you will need to make. You should be aware that Thai procedures differ from those in the United Kingdom and that while we understand you may want to make arrangements quickly, this is not always possible.

*The information contained in this document is not meant to be a definitive statement of the law, nor is it to be taken as a substitute for independent legal advice.*

*Every effort has been made to ensure that the information contained within these guidance notes is accurate, but no legal responsibility is accepted for any errors or omissions in it (caused by negligence or otherwise) by the British Embassy, the British Consulate in Thailand or HM Government.*

## **Funeral Options**

Following the death of a British national in Thailand, the next of kin (NoK), or their formally appointed representative, must decide whether to:

- i) repatriate the deceased to the UK
- ii) have a local cremation and the ashes repatriated to the UK or
- iii) have a local cremation and the ashes scattered locally, or
- iv) a burial in Thailand.

*Note: If a local burial or cremation takes place, there will not be a Coroner's inquest carried out in the UK.*

Consular staff in London will pass the wishes of the NoK on to Consular staff at our Embassy in Thailand, and details of who will be responsible for the costs involved.

If the deceased had taken out travel insurance, it is important that NoK contact the insurance company without delay. If the insurance company grants cover, you should check with them what funeral arrangements they will cover. If insurance cover is not in place, then the Thai authorities will expect that the cost of repatriation or cremation will be met by the family. The FCO and our Embassy in Thailand do not have budgets to meet the costs of cremation, burial or repatriation.

If the deceased was travelling as part of an organised tour, then the tour operator's local representative should be a valuable source of assistance and advice.

NoK should be aware that all hospital bills **must** be paid before the body can be released.

## **Repatriation**

Undertakers in Thailand are equipped to carry out repatriation procedures. They work in partnership with International Funeral Directors in the UK (see Annexes A and B on pages 8 and 9 of this bereavement guide) to facilitate repatriation. Thai undertakers will provide the special caskets required for the international carriage of human remains. A local civil registry death certificate, a certificate of embalming, and a certificate permitting transfer of the remains to the UK is required to repatriate the deceased. These will be arranged by the Thai undertaker. Our Embassy can provide covering letters for British Customs (we charge a fee for these letters which is set by the British Parliament). Local formalities for repatriation normally take 8 to 10 working days to complete.

If the deceased was covered by travel insurance, the insurance company will normally have a standing agreement with an International Funeral Director in the UK and will arrange repatriation on your behalf. If the deceased was not covered by insurance, the NoK will need to appoint their own International Funeral Director. A list of companies is attached at the end of this document in Annex B.

We appreciate that the NoK may not always live in the UK. International Funeral Directors can organise repatriations to most countries in the world.

If, for some reason, repatriation is not possible, our consular staff will try and inform NoK as soon as possible.

### **Local Burial**

As Thailand is a Buddhist country, burials are rare – and normally only for foreigners. As a result they can be very expensive and difficult to organise. We advise that if the NoK wish to have the deceased buried that they consider having the body repatriated and arranging for the funeral take place in the UK.

### **Letter of Release**

Thai local authorities generally require written authorisation from the Embassy for the NoK, undertaker or other authorised representative before they release a body for cremation/repatriation – this is known as a ‘Letter of Release’. The Embassy will need written confirmation from the NoK informing the Embassy who they have requested to organise the funeral/repatriation before the Letter of Release can be issued. There is a standard fee for producing this letter.

### **Autopsies (Post Mortems)**

If the Royal Thai Police are not satisfied after a preliminary examination of the facts surrounding a death, they can request an autopsy. Further investigations and interviews with witnesses may also be called for before a decision is made as to cause of death. The autopsy report is usually available three months after a death has occurred. You will need to organise and pay for the translation of the report into English, if you need one. Your contact at the FCO in London can provide you with a list of translation companies or you can visit the British Embassy in Bangkok website: <https://www.gov.uk/government/world/thailand>, where you will find contact details for Translation and Interpretation Companies in Thailand. You should be aware that an autopsy report is a factual, clinical document and as such you may find the contents graphic and distressing.

In cases of sudden or unexpected death, for example by accident or misadventure or where a person dies unattended, the police will prepare an initial report of their findings - a copy of which will be sent to the Embassy. However, if death was caused by a criminal act the police will be ordered to conduct a full investigation. The State Prosecutor will then decide whether to prosecute. This can delay the release of the body.

*A separate document explaining what to expect when someone dies in suspicious circumstances can be obtained through your contact at the FCO.*

During an autopsy, samples of organs can be removed for testing, including toxicological studies, at the discretion of the doctor without consent of NoK. NoK are not informed about the removal of these samples or their retention by the Thai authorities. The Embassy has no authority to intervene in this procedure, or to stop it taking place.

Once the Thai authorities are content that no further examinations need to be made, the deceased's body can be cremated in Thailand or returned to the UK before tests on removed organ samples are completed. Any samples removed are retained for the duration of the tests and are then put in storage for thirty days before being destroyed. Samples of organs or the organs themselves cannot be removed for any purpose other than testing without prior consent of the deceased (for research or transplants) or NoK (transplants only).

### **Mortuary Facilities**

There are mortuaries at most private hospitals in Thailand and at some government hospitals. The standards applied, for example in relation to storage temperature, vary from hospital to hospital. Although we will do everything we can to ensure appropriate storage, we cannot guarantee the conditions. Some mortuaries also charge a daily fee for storage of a body. We recommend that you make a decision about funeral arrangements as soon as possible.

### **UK Coroners**

If the body is repatriated to England or Wales, a coroner may decide to hold an inquest if the death was due to unnatural causes, sudden or violent. An inquest will not be held if a post mortem renders this unnecessary by demonstrating a cause of death that is certain, and neither violent nor unnatural. Coroners will only look into the deaths of those persons whose bodies physically lie in their districts (this does not include cremated ashes). An inquest allows the coroner to confirm the identity of the deceased, the place and date of birth, how the cause of death arose and to give

an official verdict. The Coroner can only give one of the following verdicts on how death was caused:

- Natural Causes
- Accident or Misadventure
- He or she killed him/herself (i.e. suicide)
- Unlawful killing
- Lawful killing
- Industrial disease; or
- Open verdict (where there is insufficient evidence for any other verdict)

Alternatively, the Coroner can give a narrative verdict which sets out the facts surrounding the death in more detail and explains reasons for decision.

It is not the Coroner's role to apportion blame for the death nor to investigate any alleged crime overseas.

You should be aware that British coroners do not generally have access to judicial files from other countries. Consequently coroners may order a post-mortem as part of their inquest.

Coroners can request copies of post-mortem and police reports from the Thai authorities via the FCO in London. However, these will only be provided once any judicial proceedings are completed. This can take many months.

In Scotland, the Scottish Executive is the responsible authority. However, they are not obliged to hold an inquest into cause of death. Coroners in Northern Ireland are also not obliged to hold an inquest into cause of death. NoK can apply for a judicial review if no inquest is held.

For further information on inquests please contact your nearest Coroner's Office. Contact details can be obtained from your local Police Station.

### **Return of Personal Effects**

Personal effects are normally returned to NoK, or their authorised representative, without any formalities. Usually the undertaker will assist with returning belongings. Please note that the FCO cannot assist with the cost of returning personal effects to the NoK.

## **Release of Information**

Access to information concerning a death, other than post-mortem and police reports can be difficult. The Thai authorities will not provide this information directly to NoK. Requests for this information should be made through a legal representative. Our consular staff can provide a list of English speaking lawyers in Thailand or you can find this list on the British Embassy in Bangkok website: <https://www.gov.uk/government/world/thailand>

The release of any information can take many months, and the documents will be in Thai.

## **Legal Aid**

Legal Aid is not available for legal representation in Thailand. Under certain circumstances, such as a suspicious death, you may wish to use a local lawyer to represent your interests should a trial be necessary. In some cases you may be able to act as co-plaintiffs and play a more active role in the court proceedings. Should you wish to act as a co-plaintiff, or have detailed feedback from court proceedings, you may wish to engage a lawyer before the case passes to the public prosecutor, normally about 84 days after an individual has been arrested. Please see the attached list of English speaking Thai lawyers.

## **Compensation for Victims of Crime or a Fatality**

In certain circumstances the Thai authorities may provide compensation to the victims of a crime or to the family of those who suffer a fatality. These schemes are provided for by The Ministry of Justice and also the Ministry of Tourism and Sport. The compensation schemes cover victims of the following circumstances: Terrorism, Natural Disaster, Victim of Rape, Victim of Assault, Victims of a Crime.

The Ministry of Justice scheme has a maximum amount payable of 100,000 Thai Baht and may take up to five years to grant a payment. The Ministry of Tourism and Sport has a maximum amount payable of 300,000 Baht.

Compensation payments made in respect of a death must be collected in person by the next of kin, or by appointing a Power of Attorney to collect on their behalf. Claims should be directed to the Department of Rights and Liberties Protection (Justice Ministry scheme) Bureau of Prevention and Assistance Fraud (Ministry of Tourism and sport scheme).

Negotiations on the issue of compensation are between the claimant and the relevant Ministry; the Embassy is unable to act on your behalf in these matters. You may wish to seek advice from a local lawyer who could represent your interests.

## **Registration of the Death**

A local death certificate, citing the likely cause of death, will be issued by the Thai Authorities in the Thai language, and is usually available within a day or two of death. You should be aware that the cause of death given on the death certificate is often given in basic terms, and often does not reveal any underlying causes. Translation services are widely available in Bangkok, and less so in rural areas. If you wish to obtain a certified copy of translation (which you may need to assist with probate in the UK), please get in touch with your contact in Consular Directorate in London.

Deaths of British nationals overseas are not automatically recorded in the UK Register Office, nor is there any obligation for the death to be registered with the British Embassy in Bangkok. However, NoK may find that there are advantages in doing so - a British form of death certificate is then available, and a record of it would then be held at the General Register Office in the UK.

For more information on registering a death which has occurred in Thailand, whether in the UK or at the British Embassy in Bangkok, please refer to Annex C on page 10 of this bereavement guide.

## **Annex A**

### **Thai International Funeral Directors**

#### **Teckhong Funeral and Repatriation Services (THF Co Ltd)**

7, THF Building 3rd Fl.,

Chan Rd., Soi 46,

Wat Phrayakrai, Bangkholaem,

Bangkok 10120

Thailand

Tel: +66 (0) 2 675 0501/00662 675 0502

Fax: +66 (0) 2 675 2227

Mobile: +66 (0) 81 854 3165 (Hirun)

Mobile: +66 (0) 81 845 7592 (Jessica)

Email: [repatriation@teck-hong.com](mailto:repatriation@teck-hong.com) , [info@thf.co.th](mailto:info@thf.co.th)

Ask for Mr Hirun Teckhong or Mrs Saranya Teckhong (Jessica)

Website: <http://www.teck-hong.com>

#### **Allison Monkhouse Co Ltd (Thailand)**

Suite 101, S16 Building

256/9 Sukumvit Soi 16

Klongtoey

Bangkok 10110

Tel: +66 (0) 2 382 5345-7

Fax: +66 (0) 2 261 7939

Website: <http://www.funeralrepatriation.com/>

E-mail: [pim@allisonmonkhouse.com](mailto:pim@allisonmonkhouse.com)

Ask for Mrs Pakdiporn Karnasuta (Pim), General Manager

#### **Siam Funeral & Repatriation Co Ltd**

30/21 Village No. 6

Klongsi Subdistrict

Klongluang District

Pathumthani Province 12120

Thailand

Tel: +66 (0) 2 902 7907

Fax: +66 (0) 2 902 7906

Mobile: +66 (0) 86 777 0214

Website: [www.siamfuneral.com](http://www.siamfuneral.com)

E-mail: [Varavut@siamfuneral.com](mailto:Varavut@siamfuneral.com), [siamfuneral@gmail.com](mailto:siamfuneral@gmail.com)

Ask for Mr Varavut Rohtjanaburanon

All speak fluent English

Updated January 2014



## **Annex B**

### **International Funeral Directors in the UK**

#### **The Co-operative Funeralcare Worldwide Repatriation**

221 Upper Richmond Road

Putney

London

SW15 6SQ

Tel: 020 8788 1790

Call Centre: 0800 088 4883

Email: [funeralcare.worldwiderepatriation@co-operative.coop](mailto:funeralcare.worldwiderepatriation@co-operative.coop)

Website: <http://www.co-operativefuneralcare.co.uk/>

#### **Rowland Brothers International**

299-305 Whitehorse Rd

Croydon CR0 2HR

Tel: 020 8684 2324

Fax: 020 8684 8000

Email: [info@rowlandbrothersinternational.com](mailto:info@rowlandbrothersinternational.com)

Website: <http://rowlandbrothersinternational.com/>

#### **National Association of Funeral Directors**

618 Warwick Road

Solihull

West Midlands

B91 1AA

Tel: +44 (0) 121 711 1343 (from overseas)

Tel: 0845 230 1343 (in UK)

Fax: 0121 711 1351

E-mail: [info@nafd.org.uk](mailto:info@nafd.org.uk)

Website: [www.nafd.org.uk](http://www.nafd.org.uk)

Please note that the listing of the companies above does not represent FCO endorsement of their services.

## **Annex C**

### **Registering a Death**

You can register the death in Thailand with the British Embassy in Bangkok if you live overseas or our Consular services department in London at the Foreign and Commonwealth Office (FCO), if you live in the UK. Our [Guide for bereaved families](#) also has practical advice about how we can help if a relative or friend dies abroad.

Consular death registration is not a legal requirement but it means:

- If you register a death in Thailand, an entry will be made in the death register by the British Embassy in Bangkok
- you'll be able to obtain a British style death document
- a record of the death will be held by the General Register Office in the UK

A Consular death registration document is not a UK death certificate and should not be used as one. It should not take the place of the locally issued death certificate. You'll need to register the death with the Thai authorities and obtain a full Thai death certificate before you can apply for consular death registration. The consular death document may not include a cause of death. If you are in Thailand you can apply for a consular death document from the British Embassy in Bangkok. It will take three working days from receiving a complete application at the British Embassy for you to receive a consular death registration.

Applications must be made by the next of kin or executor of the deceased's estate. Where a third party makes an application it must be accompanied by written confirmation from the next of kin/executor that they give authority for the third party to act on their behalf.

### **Fees to register a death**

The current fee for registering a death is £105.00 and each certified copy of entry document requested is £65.00 e.g. one registration document costs £105.00 + £65.00 = £170.00; two registration documents would cost £235.00 etc.

It will cost you £65.00 for each additional copy of the registration obtained from us. After September of the year following the registration, copies can be obtained from the [General Register Office](#).

The fees in Thailand will be charged in local currency.

To process the application, we are required to see evidence of the nationality of the person whose death is to be registered. You will need to submit original documents along with two sets of photocopies. Please include a stamped, self-addressed

envelope (we recommend that you arrange for “Recorded” or “Special Delivery” so that we can return your original documents to you promptly.

Enclosed (see Form BMD 002/0012 on page 12) is a checklist to help you ensure you have all the required documents. We cannot process your registration application without all items on the checklist included/completed.

### **Registering a death at the Foreign & Commonwealth Office in London**

If you are resident in the UK you can apply for the registration through the Foreign & Commonwealth Office. All applications are dealt with by post because we can't accept personal callers. We recommend you send your application by special delivery and include two self addressed pre-paid special delivery envelopes so we can return your documents and registration document safely to you. Evidence to show that the deceased was British at the time of death will be required.

We'll send you an acknowledgement letter and return your documents to you within 20 working days. It'll take approximately 8 weeks from us receiving a complete application for you to receive the consular death document.

First you'll need to download and complete the [Death Registration Form](#) [Word, 45KB].

Applications should be sent to:

Foreign & Commonwealth Office, Rm K4.9, King Charles Street, London, SW1A 2AH.

Incomplete or incorrect applications will be returned using the postage facility provided by the customer.

## CHECKLIST

		<u>Original</u>	<u>PLUS Photocopies</u> <u>x 2</u>
a)	The Thai death certificate issued by the local authorities		
b)	Evidence of the deceased's claim to British Nationality: full length British birth certificate* <b>OR</b> certificate of naturalisation or registration as a British National <b>AND</b> British passport		
d)	Correct fees made payable to "The FCO". Payment can also be made on-line: <a href="http://www.fco.gov.uk/bmd">www.fco.gov.uk/bmd</a>  A payment in Thailand can be made directly at the Embassy, Bangkok in Thai Baht	Bank draft, postal order or business cheque made payable to "The FCO" or, if payment is made on-line, a copy of the payment confirmation page. This will show your order number and the date and time of payment or <b>PLEASE NOTE PERSONAL CHEQUES ARE NOT ACCEPTABLE</b>	
e)	Completed application form		Plus one photocopy
f)	Postage: Either two pre-paid and self-addressed special delivery envelopes <u>or</u> on-line postage payment.	If you provide special envelopes they will be used to return your original documents and the certified copy of an entry in the consular register to you.  If you pay for postage on-line you do <u>not</u> need to provide special delivery envelopes  Items will not be returned without payment for delivery or a pre-paid delivery method.	

## **APPLICATION TO REGISTER AN OVERSEAS DEATH**

Please print using a black or blue pen referring to the guidance note for additional information

### **INFORMATION ABOUT THE PERSON WHOSE DEATH IS TO BE REGISTERED**

Title		Forenames	
Surname		Maiden Name	

Date of Birth	
Place of Birth	
Date of Death	
Place of Death	
Sex	

Full address of usual residence at time of death	
Last Gainful Occupation	

### **Information about the informant (the applicant)**

Title		Forenames	
Surname			
Postal Address			
Daytime telephone numbers			
Email Address			
Relationship to the deceased			

### **Declaration:**

I declare that the particulars given are true to the best of my personal knowledge and belief.

Signature	
Print Name	
Date	
Place	