

## **Death & Dying in France**

All of us like to think that we are to some extent immortal; because of this the majority of people do not like to think of death, either of ourselves or someone close to us.

Sadly, few of us are aware of the many practical things that need to be done after someone has died. Having to deal with this difficult time in a country that is not our place of origin is hard enough. We may be faced with a minefield of additional questions and concerns and no matter how well we have learned the language, at one of the most stressful times of our lives it is imperative to know we are doing the right thing.

If France is your main residence or even where you have your second home then it is very important that you or your relatives, know what to do in the event of a death. This information sheet aims to outline all of the practical considerations and obligations around dealing with a death in France. Helping you to cope with the multiple decisions and processes you may be faced with. Some of the information may also help you to consider in advance your wishes following your death. Decisions related to end of life issues are often difficult and personal. Planning means you can rest assured your wishes are fulfilled and your relatives will be less burdened when the time comes.

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## **REPORTING, DECLARING & REGISTERING A DEATH**

### **DEATH AT HOME**

If a death occurs at home you will need to contact your doctor. He will issue a medical certificate of death (*Le Certificat Medical de Deces*) to legally confirm the death.

Then you will need to call a funeral home – a list can usually be found in the Yellow Pages. The funeral home will then take the deceased to either the hospital mortuary or the funeral home mortuary.

### **DEATH IN A HOSPITAL OR RETIREMENT HOME**

If the death occurs in a hospital or retirement home the doctor attending the deceased will issue a medical certificate of death to legally confirm the death. The ‘on duty’ funeral home will then be called to remove the deceased to the hospital mortuary. It should be noted that you are under no obligation to use the funeral home that is ‘on duty’ for any further services other than the removal of the deceased. If you have used a funeral home before and wish to use them again, then go ahead.

### **DOCUMENTS FOR THE FUNERAL HOME**

In both cases the doctor will need to see the deceased’s passport or (*carte de sejour*). You will also need to provide the following information and documents to the funeral home:

- Medical certificate of death.
- Deceased’s carte de sejour or passport.
- Address details.
- Marriage certificate (if applicable).
- The maiden name if the deceased is female.

The funeral home will also require suitable clothing for the deceased.

In the event of a violent death such as an accident or suicide, then the police (*gendarmarie*) must be notified and not the doctor and they will provide the medical certificate of death.

Note: For residents living in France part time it would be advisable if a copy of your birth and marriage certificate were kept with your insurance documents, this would save time in obtaining copies from the Registrars Office in the UK.

### **DECLARING & REGISTERING A DEATH**

Registration of a death takes place at the Town Hall (*Mairie*) where the death has occurred. An official declaration of the death must be registered WITHIN 24 HOURS.

In some villages the Maires office may only be open part time, however all Maires are contactable in an emergency. To contact them you need to know his/her name, personal address and telephone number or if you know the name you can look in the telephone book.

Any person can declare the death including the funeral home and if the death occurred in a hospital they can also declare it.

### YOU WILL NEED THE FOLLOWING IF YOU REGISTER THE DEATH YOURSELF:

- Some form of ID to prove who you are – passport, Carte de Sejour, birth certificate.
- The medical certificate of death from the doctor (or the police).
- Proof of identity of the deceased e.g. birth certificate, marriage certificate, passport or Carte de Sejour.

*It should be noted that the birth certificate and marriage certificate may require translation from English to French, preferably by a recognised translator.*

Registering a death involves making a statement of factual information including the deceased's full name, address in France, date and place of birth, details of next of kin, date, time and place of death, your name and relationship to the deceased.

This statement is recorded in the register which you then sign. A certified copy of the entry, the death certificate (*acte de deces*), is then issued. No fee is charged for this. You will need multiple copies of the death certificate as these will be required for all the paperwork following the death. Ask for several as it is easier to get them now.

Once the death is registered the Mairie will issue either:

- The burials permit (*permis d'inhumer*).
- Cremation certificate (*certificat d'incinération*).

Both of these documents will have the date and time of the death on it.

## CREMATION AND BURIAL

### YOUR RIGHTS IN FRANCE

You have the right to organise your own funeral and state how you wish this to be conducted. In France there is a legal obligation that your next of kin follow your wishes and it is a criminal offence not to respect them. Although the authorities and funeral homes require no supporting document or attestation of your choices, you can if you wish

prepare something in writing to be passed to your next of kin or representative upon your death, to ensure your wishes are carried out.

## CREMATION

The law in France dictates that a cremation must take place within six days of the death; however it cannot occur less than 24 hours after the death. This time is calculated from the date of death (not including Sundays and Bank Holidays). However the Departmental Prefecture in the commune where the death occurred or where the cremation is to take place may grant an extension in exceptional circumstances.

It is important to be aware that when booking a funeral service in the crematorium the time given is not the start time but the committal time. For example if the time given is 10am then the actual service would be at either 9.15am or 9.30am depending on the crematorium. It is important to clarify the actual start time with the funeral home or crematorium.

## THE FOLLOWING DOCUMENTS AND PROCEDURES WOULD BE REQUIRED FOR THE CREMATION:

- The medical certificate of death.
- The death certificate.
- If the deceased has a pacemaker this must be removed by either the doctor or the embalmer before cremation. A written certificate will be required to confirm its removal.

If you wish for the deceased to be transported to another commune for cremation, the coffin must be sealed and an authority to transport the coffin must be provided by the Mairie.

### Pacemakers

A doctor's certificate is required indicating there is a pacemaker to be removed. If the deceased has a pacemaker this has to be removed by an embalmer (*thanatopracteur*). The hospital or funeral home will help you with this.

## DISPOSAL OF ASHES

Following the cremation the ashes are handed over by the crematorium, in some cases you can receive the ashes on the same day if the cremation took place in the morning.

A crematorium will hold ashes for a few months allowing families to consider what they wish to do with them. There are various options you may want to consider. Most crematoriums have a garden of remembrance (*jardin des souvenirs*) for the cremated remains to be scattered in or they could be interred within a memorial in the crematorium. Other alternatives include:

- Purchasing an urn (from the funeral home (*pompes funèbres*)) and burying this on private property. Authorisation is required from the Prefecture and the Mairie.
- Scattering the ashes. This can be done anywhere apart from public roads or parks. Scattering is allowed in a stream, river, and the sea or from a private plane.
- Ashes can be divided between family members or added to the ashes of another deceased person. This must be requested in either a will or attestation.
- Ashes can be placed in an urn and placed in a vault, crypt or other memorial, in a cemetery where other family members are interred. Authorisation is required from the Mairie of the commune.

### SENDING ASHES BACK TO THE UNITED KINGDOM BY AIR

If you wish to send ashes back to the UK for scattering or interment this can be arranged with the funeral home in France. If you wish to send the ashes by air you will need to purchase a zinc lined urn and certain rules apply.

As a guide the following documents are generally required by the funeral home if you are not accompanying the ashes:

- A copy of the death certificate.
- Attestation from the crematorium (*This is the certificate of cremation to say the cremation has taken place*).
- Laissez-passer (for travel between countries) this allows the ashes to be passed through countries and communes. This is obtained from the funeral home and accompanies the ashes with the certificate (*attestation*) from the crematorium.

### TAKING ASHES BACK TO THE UNITED KINGDOM BY HAND

If you are taking the ashes as hand luggage the plastic screw top container which the crematoriums provide will be sufficient. This container can be carried through customs as HAND LUGGAGE ONLY.

The documents required are:

- A copy of the death certificate.
- Attestation from the crematorium (This is the certificate of cremation to say the cremation has taken place).

### BURIAL

Burial in France usually takes place from 24 hours up to a maximum of six days after the death. The custom is normally three days (allowing for a grave to be re-opened or dug). However the Departmental Prefecture may issue a waiver if it is not possible to meet the six day requirement.

A burial can be arranged via a funeral home or privately by the immediate family of the deceased.

### THE FOLLOWING DOCUMENTS AND PROCEDURES ARE REQUIRED FOR A BURIAL:

- Death certificate.
- Burial permit– issued by the Mairie of the commune where the burial will take place.

The Mairie will then give the authority to close and seal the coffin before burial. The Mairie will also give authorisation to transport the deceased if burial is elsewhere.

In the case of a violent death or suicide, where there is a police/judicial inquiry the responsibility for issuing the burial permit lies with the Public Prosecutor (*Procureur de la Republique*) at the local high court (*Tribunal de Grande Instance*).

### BUYING A BURIAL PLOT

If you do not already own a burial plot then it will be necessary to buy one. This can be done at the Mairie or in larger cities at the Cemeteries Office (*Bureau de Cimetiéries*).

Proof of residence will be required and you will need to specify the size of the plot required. The administration will then give you the deed of ownership.

It is important to note that if you purchase a temporary plot of 15 years or less, they do not usually allow for decoration of the grave or the erecting of monuments.

It is possible to be buried outside of a cemetery on private property as long as certain conditions are complied with.

### HEADSTONES

Three months after closure of the grave the family must arrange for the grave to be covered with a concrete slab. After that, a decorative tomb stone can be erected.

### BURIAL ON PRIVATE LAND

You can be buried on your own private land. The prefecture of the Department where the land is situated will need to give authorisation. Authorisation will normally be granted providing there is a written request from the deceased in their will or attestation.

You will also need the following documentation:

- Death certificate.
- Medical certificate of death.
- Burial certificate from the commune of the place of death.

- A map of the location, showing where the deceased is to be buried and the proximity of neighbours.
- A report from a geological hydrologist to approve the location. The distance between other dwellings, location of the septic tank (*fosse septique*) the composition of the ground and underground water table will be checked as part of this report.

## REPATRIATION

Repatriation of the remains of a deceased person to any country can be a complicated and costly process. You may therefore wish to consider having the body cremated abroad and having the ashes returned to your chosen country.

In order to obtain the release of the body for repatriation a relative or an appointed representative must instruct a funeral director in France and the UK (or a country of their choice).

If the deceased was insured for repatriation it is important to contact the insurance company as they will make the necessary arrangements. Insurance companies normally have a standing agreement with a funeral director in the UK to arrange repatriations. If you are a second home owner and your main residence is in the UK and you have travel insurance, then this may also cover repatriation.

If there is no insurance cover then the next of kin will be responsible for the cost of the repatriation and will need to appoint a funeral director in France to make arrangements for the repatriation. The French funeral director will then liaise with the funeral director in the UK.

The next of kin should also be aware that any hospital bills must be paid before a body will be released for repatriation.

## PROCEDURES IN FRANCE

French and UK funeral directors will normally work together and liaise with each other to ensure that all the necessary requirements are met in France and the UK.

French procedures differ significantly to those in the UK, and whilst families may wish for arrangements to be made quickly, this is not always possible.

The documents that are required for repatriation are:

- The deceased's passport.
- Deceased's birth certificate and marriage certificate (translated).
- Death certificate.
- Certificate of embalming.

- Laissez-passer (this allows the coffin to pass through communes and countries, this is provided by the funeral home).
- Certificate from the hospital/mortuary indicating there were no notifiable diseases present when the deceased died.

Relatives will need to decide whether they wish to return with the body and make appropriate travel arrangements for themselves.

A funeral in the UK should not be arranged until the body has arrived in the country and been cleared by the coroner. As the cause of death is not given on the French death certificate enquiries may be made into the circumstances surrounding the death. This is to determine whether the coroner should be involved. This could delay the funeral until a post mortem examination is made and an inquest held to determine the cause of death. This will normally only happen for a death that was sudden, accidental or unexpected.

The coroner in the UK does not have access to the French judicial file. However, the coroner may request a copy of the French police and post mortem results through the Consulate if he so wishes and this can delay any funeral plans.

The cost of repatriation varies greatly so only a rough guide can be provided. Repatriation could amount to €5000 before the cost of a funeral in the UK. It is important for families to be aware and thoroughly consider the costs before making final decisions regarding repatriation.

### BRITISH EMBASSY

While the Embassy may assist in obtaining documents such as death certificates, it cannot help pay for the cost of relatives to travel to where a death occurs. Neither can the Embassy pay the costs of repatriation of bodies back to the UK except in exceptional circumstances.

### CHOOSING A FUNERAL HOME

There are many funeral homes in France to choose from, some are owned privately by families and some by large corporations. Since January 1998 any funeral home that has been certified by the prefecture must have their credentials and certification displayed for public viewing at town hall's, mortuaries, funeral homes, crematoriums, and cemetery conservation rooms.

Funeral homes in France have to abide by a code of practice which is the same as in the UK.

Below are some useful tips to help you when choosing a funeral home:

- Obtain an itemised cost of their services and the procedures required. An estimate should be given free of charge. Consider the cost of coffins, the hearse, pallbearers and

bear in mind that you may incur additional expenses for example for newspaper notices, flowers, a religious service, preservation care, the urn and monument. If you want the deceased to be repatriated to the UK or another country it is important to obtain a full breakdown of costs and how they are calculated.

It is important that all expenses are itemised so you do not take on more than you can afford.

- Ensure you understand exactly what you have requested for the funeral, if in doubt ask, or ask someone who is fluent in French to help you. Ask for any terminology you are not familiar with to be explained to you. It is important not to leave anything to chance when mistakes could be extremely distressing.

- Once you accept the estimate you are then contracting the funeral home and you will sign documents stating you agree to pay the bill.

Other useful information:

Normally an employee of the funeral home will guide the family with regards to organisation and protocol. In France, the funeral home will usually register the death for you. This is different to the UK where you register the death and take the paperwork to the funeral home.

Embalming is not mandatory and cannot be imposed on the family, however if repatriation is desired then embalming is obligatory.

The deceased can be laid out in their home if you wish.

## VIEWING

Viewing of the deceased is not obligatory, it is a personal choice. Cosmetic care is normally taken when a person will be viewed.

Some funeral homes have ‘an open door’ policy to viewing of the deceased. The deceased will be laid out in a private viewing room and the family will be given a swipe card to enter the viewing room as often as they wish within office hours.

## **FUNERAL PLANS AND INSURANCE**

### ALL INCLUSIVE FUNERAL CONTRACTS/ PLANS (FORFAITS CONTRATS OBSEQUES) VIA A FUNERAL HOME

Each funeral home will have affiliations with a company who will provide funeral plans. Through these plans it is stipulated that upon your death a lump sum will be paid to the funeral home. Alternatively an ‘Assurance de Vie’ (*insurance of life*) is a product which gives access to any capital at the time of death and is not touched by inheritance tax.

As part of these plans your wishes on the type of funeral you want are written into a contract. A detailed cost estimate is then given based on the services you have requested. The premium paid is the amount of the estimate. You can either pay a lump sum or make monthly, quarterly or annual payments.

These plans are designed for people aged 18 to 85 years in premiums that can be spread over a period of 1 – 15 years. However if you take out a funeral plan and you are older than 75 years at the time of taking out the plan, then you must make a single payment. No medical questionnaire or declaration of your health is required to purchase a funeral plan.

You can cancel your contract at any time if you so wish. During the 30 days following the signing of the contract this can be done by sending a letter and any payments already made will be reimbursed. Beyond 30 days the surrender value is then calculated based on the life of the contract and the number of payments made.

Funeral plans are also operational for all deaths occurring abroad; however the stay abroad should not EXCEED 3 MONTHS – the policy will usually cover repatriation in this case.

It should be noted that these plans do not include the cost of cremation or burial which will have to be paid in addition.

### INSURANCE POLICIES – OBTAINED VIA YOUR INSURANCE PROVIDER

Insurance policies to cover your funeral expenses are normally offered by insurance companies that also provide your house, car or life insurance.

Anyone between the ages of 18-84 years can usually take out insurance cover for funeral expenses without a medical questionnaire. If you are self-employed living in France, paying your Maladie health insurance payments to a company e.g. Mutuelle Grand Sud, you can pay an additional sum for funeral insurance to be added. If you are not self employed you can take out insurance cover for funeral expenses also through your provider.

An amount is decided upon; depending on what you believe would cover your funeral expenses. This would vary according to your wishes – cremation/burial/repatriation. The policy can then be made out to a beneficiary who will be paying for the funeral costs.

Monthly payments vary depending on your age at commencement, but can be as little as €20 per month at the age of 65 years.

### DONATING YOUR BODY TO MEDICAL SCIENCE

You can donate your whole body to teaching hospitals and medical research in France in the same way as you can in the UK. Each adult has the right to do this without opposition from family. You can choose which establishment you wish your body to be bequeathed to from a list of faculties of medicine all over France.

You must write a letter entirely in your own handwriting, dated and signed, stating your wish to donate your body. You will then receive a form to complete and return. You will usually be given a small fee to cover transport and cremation costs and you should establish what this fee will be and when and to whom it will be paid with the individual institution.

Further details including an example of the handwritten letter and a list of hospitals and establishments in France who accept body donations can be found on the following website [www.aphp.fr/site/actualite/mag\\_donducorps.htm](http://www.aphp.fr/site/actualite/mag_donducorps.htm) and then opening the brochure 'télécharger le brochure de l'AP/HP'. Please note this website and brochure is available in French only.

Various criteria will need to be met, for example certain medical diseases, suicide or if the body is subject to an autopsy, will prevent donation to medical science. You will then receive a donor card for medical science (*carte de donateur*) to sign and keep with you at all times. You can revoke your decision at any time, destroying the card and informing the hospital.

There is no upper age limit for body donation; however a person has to be at least 17 years old.

Following donation your body will be taken to an establishment where it will be embalmed and saved until anatomical research or teaching will be carried out. After the research your body will be cremated and your ashes scattered in the *Jardin de Souvenirs*.

Family can obtain your ashes on condition that the donor has not forbidden this in writing. If this is the case, it will be indicated on the back of the donor card.

### **ORGAN or TISSUE DONATION IN FRANCE**

France has created an opt out register for organ donation listing the names of people who have chosen not to donate organs or tissue after their death. Anyone not on the register will be presumed to have consented to organ donation, although the family will still be able to object.

Anyone over the age of 13 years old who is willing to donate organs after death is asked to inform relatives and to carry a donor card. The new law states that if a person does not have such a card, the principle of 'presumed consent' will hold, although this has to be confirmed by relatives.

To opt out of organ donation in France, you can pick up a form from any chemist, complete it and send it with a copy of your identity document and a stamped addressed envelope to the Registre National des Refus (see contacts). Alternatively you can let your family or representative know of your wishes and put them in writing or add a clause to your will.

### **USEFUL CONTACTS**

**Age Concern England** (*can provide general information on coping with and planning for a death*).

Age Concern England  
Astral House, 1268 London Road  
London  
SW16 4ER  
Tel: +44 (0)20 8765 7200  
Email: [international@ace.org.uk](mailto:international@ace.org.uk)  
[www.ageconcern.org.uk](http://www.ageconcern.org.uk)

### **British Embassy in France**

There are British Consulates in Paris, Bordeaux, Lille, Lyon and Marseille. Contact details for all of the Consulates can be found on their website <http://ukinfrance.fco.gov.uk/en/>

**Funeral Services in France** (*can help you with advice and practical help if you are an ex.patriate living in France*)

Angela Clohessy Dip. FD MBIFD  
Grande Rue  
82190 Bourg de Visa  
France  
Tel : +44 (0) 5 63 39 55 97  
[www.funeralservicesinfrance.com](http://www.funeralservicesinfrance.com)  
Email : [enquiry@funeralservicesinfrance.com](mailto:enquiry@funeralservicesinfrance.com)  
Siret: 502 126 550 00016

**Registre National des Refus** (*organ donor register which can be contacted if you wish to opt out*)

Agence de la Biomédecine  
TSA 90001  
93572 St. Denis-La-Plain

## **GLOSSARY OF USEFUL TERMS**

Burial permit - *permis d'inhumer*  
Cemeteries Office - *Bureau de cimetiéries*  
Cremation certificate - *certificat d'incinération*  
Death certificate - *acte de deces*  
Donor card for body donation - *carte de donateur*  
Embalmer - *Thanatopracteur*  
Funeral contracts/plans - *Forfaits Contrats/ Obseques*  
Funeral Home – *Pompes Funébre*  
Garden of remembrance - *jardin des souvenirs*  
High court - *Tribunal de Grande Instance*  
*Insurance of life- assurance de vie – is this not life insurance?*  
Medical certificate of death - *Le Certificat Medical de Deces*  
Public Prosecutor - *Procureur de la Republique*  
Town Hall – *Mairie*

Whilst every attempt has been made to ensure the accuracy and reliability of the information contained in the documents, no information sheet can be a complete guide to the law, which changes from time to time. Legal advice should always be taken if you are in doubt.

The inclusion of named agencies, companies, products, services or publications in this information sheet does not constitute a recommendation or endorsement by Age Concern.