

# News Release Deputy Premier John Rau

Attorney General  
Minister for Planning  
Minister for Business Services and Consumers



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## Clearer laws on burials and cremations introduced

Attorney General John Rau will today introduce the *Burial and Cremation Bill 2012* to cover regulation of burial, cremation and the management of cemeteries, natural burial grounds and crematoria.

“This Bill seeks to create a more transparent and consistent regulatory scheme for burials and cremations as well as the management of crematoria and cemeteries,” Mr Rau said.

“Currently there are a number of Acts and regulations that govern different aspects of the industry.”

“Legislation governing burial, cremation and cemeteries in South Australia has been the subject of two separate Parliamentary inquiries. This bill seeks to address many of the issues raised in the course of those hearings.”

New measures for the industry outlined in the *Burial and Cremation Bill 2012* include:

- the removal of the current 99 year maximum term on interment rights in public cemeteries;
- provisions setting out the rights of families and the rights and obligations of a relevant authority when an interment right expires;
- a new offence prohibiting the interment of non-cremated human remains except in a lawfully established cemetery or natural burial ground, unless a person has the approval of the Attorney General or the interment occurs within the requirements outlined by the legislation;
- provisions setting out the rights and obligations of relevant authorities when a cemetery or natural burial ground is closed or unused land is sold; and
- a requirement that human remains not be disposed of unless certain documents have been received.

The Bill also outlines new management provisions and substantially increased penalties for offences against the Act.

“The industry penalties in the local *Local Government Act 1934* are currently a maximum of \$200 and are not consistent with those under the *Cremation Act*,” Mr Rau said.

“The adoption of a single Act to govern the industry will see that penalties are more reflective of the seriousness of an offence.”

The Bill will be introduced into the House of Assembly this afternoon and debated in the new year.