

AUSTRALIAN CAPITAL TERRITORY

CREMATION ORDINANCE 1966

EXPLANATORY MEMORANDUM

No. 10 of 1966

The provisions of Australian Capital Territory legislation relating to the establishment and operation of crematoria are contained In the Cemeteries Ordinance 1933-1961. This legislation provides for the establishment of crematoria only by the trustees of any public cemetery and, following upon a decision by the National Capital Development Commission to nominate a suitable crematorium site, removed from the public cemetery, for release to a private cremation authority, the Minister for the Interior approved the preparation of new legislation to permit operation of a crematorium by a private authority and to provide comprehensively for the control of cremation.

The new Ordinance is based on legislation on cremation in New South Wales and Victoria and incorporates what have been considered to be the most desirable features of the legislation in these states.

Provision is made in the legislation for such matters as the following :—

- Grant of a licence to operate a crematorium and the transfer of such a licence;
- Application for and conditions under which cremation may take place;
- Administration of cremations including maintenance of appropriate records and provision of necessary documents;
- Disposal of ashes of cremated persons;
- Appointment of inspectors for the purposes of the Ordinance;
- Prohibition by the Attorney General or a stipendiary or special Magistrate absolutely, or until specified conditions have been complied with, of cremations when there is reasonable cause for so doing; and

- Offences.

Provisions have also been included to bring the legislation into accord with the requirements of other legislation in the Australian Capital Territory such as the Registration of Births, Deaths and Marriages Ordinance 1963 and the Public Health Ordinance 1928-1951.

J. D. ANTHONY

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MINISTER'S INITIALS