

Final arrangements of the deceased - Cremation

Public Health Regulation 2022 – Q & A

The *Public Health Act 2010* and *Public Health Regulation 2022* regulate the storage and preparation of the bodies of deceased persons by the funeral industry and members of the public for burial and cremation.

The *Public Health Regulation 2022* commenced on 1 September 2022.

What has changed under the new Regulation for cremation?

- An attending practitioner's cremation certificate is no longer required
- Instead, a medical practitioner needs to provide written advice about the physical risk of cremation of the body of a deceased person. The medical practitioner in this context is a medical practitioner who:
 - Attended the person immediately before or during the illness terminating in the death of a person, or
 - Has relevant knowledge of the dead person's medical history.
- Medical referees are no longer required to but may make an external examination of the body of a deceased person before issuing a cremation permit if they think it is necessary.

What does cremation risk advice mean?

- Cremation risk advice is written advice by the attending medical practitioner on a specified form about the risks of cremating bodies. For example, if a body has:
 - A pacemaker
 - Contains implanted or attached battery operated medical devices, surgical equipment, or
 - Has undergone certain therapeutic radioactive injections in the 12 months prior to death.

Where can I get a copy of the cremation risk advice form?

- [Cremation Risk Advice form](#)

Under the Public Health Regulation, is there a prescribed fee?

- No, there is no prescribed fee
- Medical Referees may charge a fee, usually via the Funeral Director.

CONTACT US

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 [SESLHD Public Health Unit](#)
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 <https://www.seslhd.health.nsw.gov.au/public-health>

Where can I get a copy of the new cremation forms?

- [Cremation Risk Advice form](#)
- [Medical referee cremation permit other than still born children](#)
- [Coroner's cremation permit \(Deceased persons other than still-born children\)](#)
- [Medical referees permit for cremation of body of still-born child](#)
- [Application for permission for cremation of still-born child with statutory declaration](#)
- [Application for permission for cremation \(other than still-born children\) with statutory declaration](#)

Do I need to use the forms now?

- Yes, the legislation commenced on 1 September 2022.

How are Medical Referees managed in NSW?

- South Eastern Sydney Local Health District Public Health Unit undertakes the following functions on behalf of the Secretary of Health:
 - Processes the appointment of Medical Referees and maintains the Register of Medical Referees,
 - Regularly updates the Register in consultation with the Medical Council of NSW and Australian Health Practitioner Regulation Authority (AHPRA).
- To find a Medical Referee, visit [SESLHD Public Health Unit](#) website
- Apply for [appointment](#) as a NSW Medical Referee

For more information

SESLHD Public Health Unit

Telephone: (02) 9382 8333 option 5 (business hours only)

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