

CREMATION ACT AND CEMETERIES ACT — REFORM

Statement by Minister for Local Government

MR D.R. MICHAEL (Balcatta — Minister for Local Government) [9.15 am]: I am pleased to inform the house that through the Department of Local Government, Sport and Cultural Industries, the Cook government has begun final consultations as part of the review of both the Cemeteries Act 1986 and the Cremation Act 1929. Apart from some mostly minor amendments to the Cremation Act, these laws have not significantly been reviewed or amended since their introduction, so there is now a need to update them to reflect the evolving attitudes of the community and contemporary practices of the funeral industry.

As Western Australia has more than 200 cemeteries and eight publicly owned crematoria, the government recognises the importance and necessity for modern burial and cremation laws that are responsive to changing community expectations while also meeting the industry’s needs. The current laws enable relevant local governments and cemetery boards to make their own local laws and by-laws on what services they provide, how burials and cremations are conducted, and the materials used. This has led to inconsistencies that need to be addressed as one major aspect of this review.

For the next three months, local governments, the funeral industry and wider community will be invited to have their say on proposed changes to these laws. The consultation’s discussion paper can be viewed or downloaded from the department’s website. It raises several major topics for consideration, including whether it creates consistency and is more efficient for the two separate acts to be combined into one single act administered by one government agency; and whether current laws adequately define and regulate all current methods of burial and cremation, including Aboriginal customary burials, natural and vertical burials, entombment, the various practices of people from different cultures or religions, as well as new methods of chemical cremation referred to as “aquamation”.

The consultation seeks feedback on the sensitive issue of cemetery redevelopment. The topic of burials outside of proclaimed cemeteries or in closed cemeteries is covered in the discussion paper, which considers whether improvements to the current process of approvals are needed. The review asks whether a centralised licensing system and register is required for funeral directors and monumental masons, or whether a voluntary industry code of conduct is a viable alternative. Future changes to the Cemeteries Act and Cremation Act considered by the government will ensure that any new laws are modern and create consistency, so Western Australians can continue to access high-quality and dignified funeral services at their time of mourning.

I table the consultation discussion paper.

[See paper [2526](#).]