

Final Arrangements for the Deceased: Cremation

NSW Medical Referee Factsheet

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.

What has changed under the new Regulation for cremation?

- An attending practitioner's cremation certificate is no longer required
- Instead, a medical practitioner - who is **not** the medical referee - 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 provided by the attending medical practitioner about specific risks if the body were to be cremated. For example, if the deceased has:
 - An implanted pacemaker or defibrillator
 - Other implanted or attached battery-operated medical devices, or
 - Undergone certain therapeutic radioactive injections in the 12 months prior to death.

Do I have to use the cremation risk advice form?

- You are not required to use the form; if you do not use the form, you **must** provide equivalent information, for example, on your practice letterhead.

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](#)

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.

How are medical referees managed in NSW?

- The Public Health Unit of South Eastern Sydney Local Health District (SESLHD) undertakes the following functions on behalf of the NSW Secretary of Health:
 - Processes the appointment of medical referees and maintains the NSW 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)

Email: SESLHD-PHU-MedicalRefereeTeam@health.nsw.gov.au

Helpful Links

- [NSW Health guidelines: Final arrangements of the deceased](#)
- [Public Health Regulation 2022](#)
- [Application for appointment as a NSW Medical Referee](#)
- [SESLHD Public Health Unit Medical Referees Website](#)