



## The Law Regarding Burials

In Australia, the law regarding burials varies from State to State, but there are a good many similarities.

In New South Wales deaths are covered by the Registration of Births, Deaths and Marriages Act 1973, which requires procurement of either a Medical Certificate of Cause of Death or a Coroner's Order authorising the disposal of a body.

The Medical Certificate of Cause of Death is completed by the deceased's ordinary medical practitioner.

However, a medical practitioner cannot sign a Medical Certificate of Cause of Death if in his/her opinion the person has:

- died a violent or unnatural death.
- died a sudden death, the cause of which is unknown.
- died under suspicious or unusual circumstances.
- died not having been attended by a medical practitioner within three months immediately before death.
- died as a result of the administration of an anaesthetic in the course of a medical, surgical or dental operation or procedure.
- died while under or within a period of 24 hours after the administration of an anaesthetic.

Any of the above causes need to be reported to the Coroner, who conducts an inquest into the circumstances surrounding the death and establishes its cause. This is done by having the police complete an investigation and the Government Medical Officer conduct an autopsy.

When a person dies, most families contact a funeral director, an important part of whose role is to obtain the necessary certificates on behalf of the family. After the burial or cremation takes place, the funeral director sends the relevant documents to the Registrar of Births, Deaths and Marriages.

Burials normally take place in approved cemeteries or may be permitted on private property subject to local government regulations.