

**INQUIRY INTO CEMETERIES AND CREMATORIA
AMENDMENT REGULATION 2018**

Organisation: Society of Australian Genealogists

Date Received: 6 September 2018

ECO 2018/030
6 September 2018

The Hon S. Farlow, MLC,
Chair,
Regulation Committee, Legislative Council,
Cemeteries & Crematoria Regulations Amendment 2018,
Parliament House,
SYDNEY NSW 2000

Dear Mr Farlow,

The Society of Australian Genealogists represents the views of over 4,000 family historians throughout Australia and makes the following submission to your Committee which is looking at the impact and implementation of the *Cemeteries and Crematoria Amendment Regulation 2018*.

As noted in our previous submission about this Regulation, the Society of Australian Genealogists does not in principle support the introduction of Renewable Tenure in NSW. Its introduction requires that accurate contact details are retained for all owners of burial and cremation sites, exhaustive efforts are made to contact them when a site is subject to re-use, and detailed records of any memorial removed from a burial site are maintained in perpetuity.

Division 2 Clause 7 does not, in our view, include a range of options that could be used to contact the holder, holders or secondary contact in the Cemetery's register. In addition to the notification requirements already set out, the cemetery should also be required to include details -

- in an online listing maintained by Cemeteries and Crematoria NSW or another responsible government agency which is searchable by both the name of the deceased and the cemetery
- in any online Deceased Search facility available on the cemetery or crematorium's website that the specific burial/cremation rights are about to expire.

Our concern remains that Cemetery Operators may make minimum effort to make contact with those named in the Register. Provisions must be strengthened to ensure that RIRs do not expire by default and that the wider community can be made aware that a site is earmarked for RIR.

Clause 13 still states that a removed memorial must be retained for five years and stored either onsite or in another secure site, if not collected by a person entitled to reclaim it.

This does not provide ongoing access by other interested persons to that memorial after five years and may lead to memorials being placed in storage some distance from their original location. It is our view that *Clause 13* should be amended to provide that:

- Any memorial removed from a site which is subject to re-use must be photographed in such a way that the full inscription can be read, and a photograph also taken of the memorial 'in situ' so that its social and historical context is recorded, as this can be both genealogically and historically important. The images must be made permanently and freely available on the Cemetery's website, or a site run by the Cemeteries & Crematoria NSW, along with details of the original interment which has been subject to re-use.
- Memorials should be relocated to another publicly accessible part of the same cemetery or crematorium and retained in perpetuity, with an online listing available for public consultation without charge.

We remind the Committee that it is often members of the broader family who have an interest in a specific memorial, and this interest may be generated many years after the original interment took place. The regulations for RIR must take this into account, and not retain a narrow focus which presumes that only next-of-kin will ever have an interest in a gravesite.

Heather Garnsey
Executive Officer