

Death, Funerals, Cremation: A Review of the Burial and Cremation Act 1964 and Related Legislation

Rangitikei District Council

Review of Relevant Sections of the Consultation Document



Background

- First NZ burial legislation was passed in 1877
- Updated 1882
- Current legislation was passed in 1964 (Burial & Cremation Act 1964)
- Current legislation still contains many original provisions of the 1882 Act



2

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TABLED DOCUMENT

Tabled at Policy/Planning
on 19 March 2020

The Consultation Document

- SECTION A: Death Certification & Auditing
- SECTION B: Regulation of the Funeral Services Sector
- SECTION C: Burial & Cemetery Management
- SECTION D: Cremation Regulations & The Medical Referee System
- SECTION E: New Methods of Body Disposal

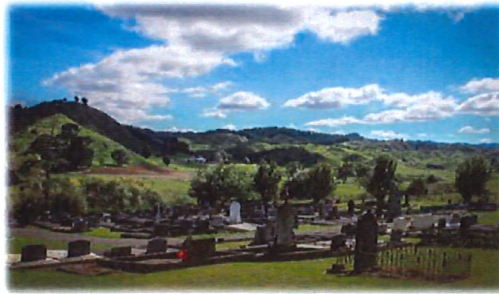


The Consultation Document

- SECTION A: Death Certification & Auditing
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- **SECTION C: Burial & Cemetery Management**
- SECTION D: Cremation Regulations & The Medical Referee System
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3 Options



Rangitira, Hunterville



3 Options

- OPTION 1: Maintain status quo



3 Options

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- OPTION 2: Law Commission's Recommendation (2015 review)



3 Options

- OPTION 1: Maintain status quo
- OPTION 2: Law Commission's Recommendation (2015 review)
- OPTION 3: Ministry of Health's Recommendation



OPTION 1



Clifton, Bulls

9

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OPTION 1

- Maintain status quo – make no change to the current legislation

10

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OPTION 2



Mt View, Marton

11

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OPTION 2

- A number of burial and cemetery management functions would shift from Central Government to Local Government

12

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OPTION 2

- **A number of burial and cemetery management functions would shift from Central Government to Local Government**
- ❖ Duty to provide facilities for the disposal of bodies, rather than cemeteries

13

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OPTION 2

- **A number of burial and cemetery management functions would shift from Central Government to Local Government**
- ❖ Duty to provide facilities for the disposal of bodies, rather than cemeteries
- ❖ Duty of inspection and oversight, to ensure the statute is being met in response to information and complaints received

14

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OPTION 2

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- ❖ Obligation to assume responsibility for failing non-local authority cemeteries, or where a designated manager denounces their role

15

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- ❖ Duty to consider applications from non-local authority cemeteries for permission to remove monuments or tablets from a cemetery

16

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- ❖ Power to approve disinterment's of non-local authority cemeteries

17

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- ❖ Power to approve disinterment's of non-local authority cemeteries
- ❖ Power to approve new independent cemeteries (private business ventures)

18

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 - ❖ Power to approve disinterment's of non-local authority cemeteries
 - ❖ Power to approve new independent cemeteries (private business ventures)
 - ❖ Power to approve burial on private land

19

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OPTION 2

- **These proposed changes would decrease resource costs for the Ministry, but increase costs on Local Authority**

20

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OPTION 2

- These proposed changes would decrease resource costs for the Ministry, but increase costs on Local Authority
- There will be need to develop new systems and processes in order to implement proposals

21

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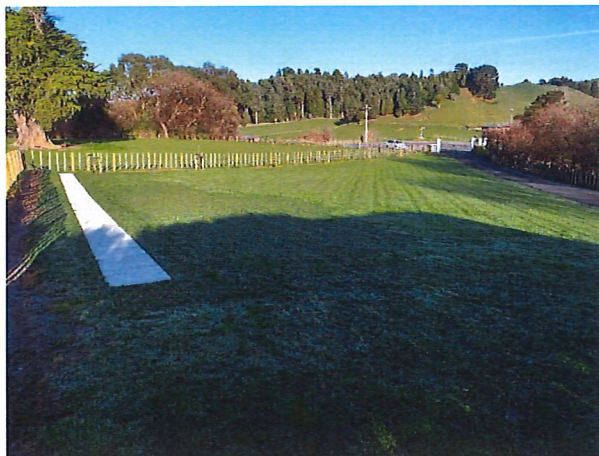
OPTION 2

- These proposed changes would decrease resource costs for the Ministry, but increase costs on Local Authority
- There will be need to develop new systems and processes in order to implement proposals
- There is financial risk for local authorities in situations where non-local authority cemetery managers fail to comply or they renounce their role

22

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Rangatira (Huntermville) & Ohingaiti Cemeteries



Rangatira Cemetery Extension

23

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OPTION 3



Taihape Cemetery

24

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OPTION 3

- Essentially the same as Option 2, with some major exceptions

25

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Māori: Rangitīkei

OPTION 3

- Essentially the same as Option 2, with some major exceptions
- ❖ Burial on private land would not be exempt from Resource Consent

26

 **RANGITIKEI**
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Māori: Rangitīkei

OPTION 3

- Essentially the same as Option 2, with some major exceptions
- ❖ Burial on private land would not be exempt from Resource Consent
- ❖ No provision for independent cemeteries

27

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OPTION 3

- Essentially the same as Option 2, with some major exceptions
- ❖ Burial on private land would not be exempt from Resource Consent
- ❖ No provision for independent cemeteries
- ❖ Ongoing provision for denominational burial grounds

28

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OPTION 3

- Essentially the same as Option 2, with some major exceptions
- ❖ Burial on private land would not be exempt from Resource Consent
- ❖ No provision for independent cemeteries
- ❖ Ongoing provision for denominational burial grounds
- ❖ There would be provision for new community cemeteries

29



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Conclusion



30



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Conclusion

- In principal we support Option 3

31

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Conclusion

- In principal we support Option 3
- Concern over financial risk to Rangitikei District ratepayers

32

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Conclusion

- In principal we support Option 3
- Concern over financial risk to Rangitikei District ratepayers
- Envisage additional administration costs for set-up, monitoring and enforcement

33

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Conclusion

- In principal we support Option 3
- Concern over financial risk to Rangitikei District ratepayers
- Envisage additional administration costs for set-up, monitoring and enforcement
- Anticipate Rangitikei District Council assuming responsibility for an increasing number of non-local authority cemeteries in the future

34

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Thank You

