

Guidance for Cemetery and Crematoria Operators

Interpretation of the current Public Health (COVID-19 General) Order 2021

The following is a summary and interpretation by Cemeteries and Crematoria NSW (CCNSW) as at 8 October 2021. Refer to the latest full [Public Health \(COVID-19 General\) Order 2021](#).

Last substantive update of the Order: 8 October 2021

Commencement date of the Order: 11 October 2021

How many can attend a funeral or memorial?

From 11 October 2021 the maximum number of individuals at a funeral or memorial service or a gathering following a funeral or memorial service **must not be more than 100** (Clause 2.11).

The indoor density limits of one person per 4 square metres also apply (Clause 2.3).

Operators must take **reasonable steps** to ensure unvaccinated adults (individuals 16 years and over) are not on the premises unless it is for attendance at a small funeral or memorial service (less than 10 mourners). Where **unvaccinated adults** plan to be in attendance of a small funeral or memorial service the number of adult individuals (vaccinated or not) **must not exceed 10** (Clause 2.18(4)).

What is permitted at a funeral or memorial?

Singing is not permitted (Clause 2.21) apart from a choir of up to 10 people who are fully vaccinated who may perform at a religious service (Clause 2.21(c)).

For the avoidance of doubt, CCNSW interprets any fully vaccinated choir member to be part of the total number permitted at the funeral or memorial.

Individuals must be seated to eat and drink (Clause 2.20).

Verification of vaccination

As operators will need to determine whether there are unvaccinated adults at the funeral or memorial, operators may ask for verification of vaccination before any funeral or service or on condition of entry.

If a person is not vaccinated, operators may still proceed with the funeral or memorial service with not more than 10 people in attendance. Other reasonable steps may also apply.

What are considered reasonable steps?

CCNSW interprets reasonable steps to be at the discretion of the occupier of the premises, based on the individual premises risk assessment and any COVID-19 safe plans that are in place.

COVID-19 safety plans are required as per Part 4 of the Public Health (COVID-19 General) Order.

Risk assessment may include additional precautions including but not limited to, verification of vaccination, the mandatory use of face masks, social distancing, and density requirements.

Other reasonable steps may include having prominent signs stating requirements and using Service NSW QR codes.

What are the requirements for the placement of cremated human remains?

The *Cemeteries & Crematoria Act 2013* defines 'interment service' to mean any service (other than the supply of goods) provided with respect to the interment of human remains.

The Act further defines 'human remains' as bodily remains and includes:

- (a) the remains of a stillborn child
- (b) bodily remains after they have been cremated.

As per the definition above, cremated bodily remains may be subject to interment and interment services.

It is the opinion of CCNSW that this may be interpreted as a funeral or memorial service.

Further information

For further information on COVID-19 please contact [NSW Health](#).

Note: The information provided is intended to aid cemetery operators and individuals to assist in meeting their obligations under the NSW Public Health Orders. CCNSW have attempted to ensure that the content is current, but we do not guarantee its currency.

The information provided does not constitute advice of any nature and kind. Please seek your own advice, including legal advice, before acting or relying on any of the content.