

Public Health Amendment (Mausoleums) Bill.

EXPLANATORY NOTE.

THE object of this Bill is to provide for the regulation and control of—

1. Mausoleums and the entombing therein of human remains.
2. The embalming of human remains.

Part IV of the Public Health Act, 1902, dealing with crematories and cremations, is amended by the Bill to include similar provisions in relation to mausoleums and provisions relating to embalmings.

[CONFIDENTIAL]

(Bough Draft for Consideration Only.)

No. , 1934.

A BILL

To make provisions relating to the erection, maintenance and conduct of mausoleums and the entombing therein of human remains, and to the embalming of human remains; to amend the Public Health Act, 1902-1932, and certain other Acts; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Health Short title. Amendment (Mausoleums) Act, 1934."

(2) The Public Health Act, 1902-1932, as amended by this Act, may be cited as the Public Health Act, 1902-1934.

2. The Public Health Act, 1902-1932, is amended— Amendment of Act No. 30, 1902.

(a) by inserting in section three next after the definition of "justice" the following new definition:— Sec. 3. (Definitions.)

"mausoleum" means a building, other than a private family vault, above or below ground in which human remains are or are intended to be entombed;

(b) (i) by inserting at the end of subsection one of section fifty-one the words "or a mausoleum"; Sec. 51. (Crematories.)

(ii) by inserting in subsection two of the same section after the word "crematory" the words "or a mausoleum";

(iii) by inserting next after subsection three of the same section the following new subsection:—

(3A) No person shall conduct a mausoleum unless any equipment and apparatus required by the regulations to be installed and used for or in connection with the drainage and ventilation of crypts and the treatment and disposal of effluent and gases are in accordance with plans and specifications approved by the Minister on the recommendation of the said Board.

(iv) by inserting next after subsection four of the same section the following new subsection:—

(4A) No person shall conduct a mausoleum unless the manner of and methods to be followed in entombing human remains in such mausoleum and the means of drainage and ventilation of the crypts and of treating and disposing of the effluent and gases occurring are in accordance with the regulations made under this Act.

(c)

- (c) (i) by inserting in paragraph (a) of subsection one of section 51A after the words " inspection of " the words " mausoleums or of "; Sec. 51A.
(Regulations.)
 - (ii) by inserting in paragraph (a3) of the same subsection after the word " crematories " the words " or mausoleums ";
 - (iii) by inserting at the end of paragraph (a4) of the same subsection the words " or of a mausoleum ";
 - (iv) by inserting next after paragraph (c) of the same subsection the following new paragraphs:—
 - (c1) prescribing in what cases and under what conditions human remains may be entombed in a mausoleum, and the manner of and the methods to be followed in such entombment;
 - (c2) controlling and regulating, either generally or in any specified class of cases, methods which may be adopted and substances which may be used in embalming human remains, whether or not such remains are intended to be entombed in a mausoleum;
 - (v) by inserting at the end of paragraph (d) of the same subsection the words " or before any human remains are embalmed or are entombed in a mausoleum ";
 - (vi) by inserting in paragraph (e) of the same subsection after the word " cremations " the words " or of embalmings or of entombments in a mausoleum ";
 - (vii) (a) by inserting in paragraph (e1) of the same subsection after the word " authority " the words " or a mausoleum authority ";
 - (b) by inserting in the same paragraph after the word " cremations " the words " or entombments in the mausoleum, as the case may be,";
- (viii)

(viii) by inserting at the end of paragraph (e3) of the same subsection the words " and for the embalming of human remains intended to be entombed in a mausoleum, the entombment of human remains therein, and any other service rendered by the authority controlling the mausoleum ";

(ix) (a) by inserting in paragraph (e4) of the same subsection after the word " crematory " where firstly occurring the words " or mausoleum ";

(b) by inserting in the same paragraph after the word " crematory " where secondly occurring the words " or the mausoleum, as the case may be,";

(x) by inserting at the end of paragraph (f) of the same subsection the words " or the embalming of human remains or the entombing of human remains in a mausoleum ";

(xi) by inserting next after the same subsection the following new subsection:—

(1A) The regulations may require the installation and use in mausoleums of apparatus for or in connection with the drainage and ventilation of crypts and the treatment and disposal of effluent and gases.

(xii) by inserting in subsection three of the same section after the word " cremations " the words " or of embalmings or of entombments in a mausoleum ";

(d) (i) by inserting in subsection one of section 51B after the word " body " the words " or in the embalming of any human remains or in the entombing of human remains in a mausoleum ";

Sec. 51B. (Penalties for breach of regulations, etc.)

(ii) by inserting in subsection two of the same section after the word " body " the words " or the embalming of any human remains or the entombing of human remains in a mausoleum ";

(iii)

(iii) by inserting in subsection three of the same section after the word " body " the words " or the embalming of any human remains or the entombing of human remains in a mausoleum ";

(e) (i) (a) by inserting in subsection one of section 51c after the word " crematory " where firstly occurring the words " or a mausoleum ";

Sec. 51c.
(Contribution towards upkeep of cemetery.)

(b) by inserting in the same subsection after the word " crematory " where secondly occurring the words " or the mausoleum, as the case may be,";

(ii) (a) by inserting in subsection two of the same section after the word " crematory " where firstly occurring the words " or mausoleum ";

(b) by inserting in the same subsection after the word " crematory " where secondly occurring the words " or the mausoleum, as the case may be,";

(f) by inserting in section one after the word " Crematories " in the matter relating to Part IV the words " Mausoleums and Embalming ";

Sec. 1.
(Division into Parts.)

(g) by inserting in the heading to Part IV after the word " Crematories " the words " Mausoleums and Embalming."

Part IV.

3. The Public Health (Amendment) Act, 1915, is amended—

Amendment of Act No. 7, 1915.

(a) by inserting in paragraph eleven of Part I of the Schedule after the word " interment " the words " or cremation ";

Schedule.

(b) by inserting at the end of the same paragraph the words " or their entombment in mausoleums and of the embalming of human remains."

