

Burials - Exhumation of Human Remains

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Summary This document provides the policy to be observed by NSW Health in receipt of an application to seek permission for approval of exhumation of human remains under clauses 25 to 28 Public Health (Disposal of Bodies) Regulation 2002. This policy directive will provide the conditions on which approvals may be granted for exhumation of human remains.

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Applies to NSW Dept of Health, Public Health Units

Audience Environmental Health Officers

Distributed to Environmental Health Officers of Local Councils, NSW Department of Health, Public Health Units

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This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for NSW Health and is a condition of subsidy for public health organisations.

EXHUMATION OF HUMAN REMAINS

NSW Department of Health

April 2008

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EXHUMATION OF HUMAN REMAINS

1. INTRODUCTION

Exhumations may occur for a number of reasons, including:

- To satisfy family wishes, where the family of the deceased person may want the remains to be moved to another burial ground, to another part of the state or country or abroad, or even to have the remains cremated;
- To obey Coronial orders requiring exhumation for forensic (criminal) investigation or,
- To enable the use of closed cemeteries for redevelopment or for the construction of new infrastructure such as, road or airport.

A variety of people, including Environmental Health Officers (EHOs), cemetery authorities, and funeral directors are involved at different stages of exhumation procedures. This document is not only for professionals involved in conducting exhumations but also for people, such as the nearest surviving relative, who may apply for an exhumation.

This policy directive generally considers public health and occupational health issues. Any other issues not included in the policy are discretionary for the cemetery authority and funeral directors to consider and take appropriate action.

NSW Health facilitates the approval for an exhumation however there is no obligation to proceed with an exhumation once it has been approved. The responsibility for conducting an exhumation remains with the cemetery authority and the funeral director. NSW Health does not have the power to order that an exhumation be conducted.

2. OBJECTIVE

The objectives of the document are:

- To provide direction to Public Health Unit (PHU) administrators, specifically EHOs, on processing applications to exhume.
- To provide guidance to cemeteries authorities, funeral directors and the general public on how to seek approval for exhumation.
- To provide guidance on the management of exhumation to prevent a health risk to the public, to protect the occupational health and safety of staff and protect community amenity in the handling of remains.

3. KEY DEFINITIONS

These definitions are repeated from the *Public Health Act 1991* and *Public Health (Disposal of Bodies) Regulation 2002* for clarity.

- cemetery authority** means the person or body of persons (including a council) by whom the cemetery's operations are directed.
- coroner** means a person who exercises or performs the functions of a coroner in accordance with the Coroners Act 1980.
- dead person** includes a still-born child.
- death certificate** means a certificate given by a medical practitioner as to the cause of death.
- disinfectant** means a hospital grade disinfectant as defined in clause 2 of the *Therapeutic Goods Regulations 1990* of the Commonwealth. Disinfectant means a substance:
- a. that is recommended by its manufacturer for application to an inanimate object to kill micro-organisms; and
 - b. that it is not represented by the manufacturer to be suitable for internal use.
- exhumation** means the removal of the remains of a dead person (not being ashes) from a grave or vault but does not include the removal of remains from a vault in a cemetery for immediate transfer to another vault in the same cemetery.
- funeral director** means a person (other than the operator of a mortuary transport service) who, in the conduct of the person's business, engages, for the purpose of burial, cremation or transport, in the collection, transport, storage, preparation or embalming of bodies or engages in the conduct of exhumations.
- list B disease** means any one of the following diseases: diphtheria; plague respiratory anthrax; smallpox; tuberculosis and any viral haemorrhagic fever (including Lassa, Marburg, Ebola, and Congo-Crimean fevers).

nearest surviving relative means:

- a. in relation to a still-born child a parent, or sibling at or above the age of 16 years, of the child, and
- b. in relation to a dead person who is not a still-born child – the spouse of the dead person, a person with whom the dead person had a de facto relationship (within the meaning of the *Property (Relationships) Act 1984*) immediately before death, a parent of the dead person, a child at or above the age of 16 years of the dead person or any relative of the dead person who was residing with the dead person when he or she died.

still-birth

means the birth of a child that exhibits no sign of respiration or heartbeat, or other sign of life, after birth and that:

- (a) is of at least 20 weeks' gestation, or
- (b) if it cannot be reliably established whether the period of gestation is more or less than 20 weeks, has a body mass of at least 400 grams at birth

4. LEGISLATIVE FRAMEWORK

There are a number of legislative requirements that are relevant to the exhumation of human remains.

4.1 *The Public Health Act 1991* and the *Public Health (Disposal of Bodies) Regulation 2002, Part 4, clauses 25 to 28*, provides specific regulation for the removal of human remains from interment.

Clause 25: Exhumation of remains without approval prohibited

- (1) A person must not exhume the remains of a body unless the exhumation of those remains has been:
 - (a) ordered by a coroner, or
 - (b) approved by the Director-General
- (2) Despite subclause (1), a funeral director may, without a coroner's order or Director-General's approval, transfer a coffin from a vault in a cemetery to a mortuary for the purpose of the coffin being immediately repaired and returned to the vault.
- (3) A funeral director must return the coffin to the cemetery within 24 hours of its transfer pursuant to subclause (2).

Clause 25 does not apply to Coronial exhumations (i.e. an exhumation ordered by the Coroner under the *Coroners Act 1980*) and NSW Health approval is not required. Otherwise an exhumation must not proceed unless approved by the

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Director-General of the NSW Department of Health. The removal or transfer of ashes does not constitute an “exhumation” (see the above definition).

The transfer of a coffined body from one vault to another vault in the same cemetery does not constitute an exhumation and approval is not therefore, required. However, the cemetery authority should alter its records accordingly. Also, an exhumation does not include the situation where a coffined body is removed from a vault in a cemetery to a funeral directors mortuary, where that mortuary is registered with NSW Health for repairs. The coffined body must be returned to the vault within 24 hours of removal. If more than 24 hours are needed to undertake repairs then this procedure still is considered to be an exhumation and an application for the exhumation must be submitted to NSW Health for approval.

Clause 26: Application to exhume remains

- (1) An application for approval to exhume the remains of the body of a dead person may be made to the Director-General by:
 - (a) an executor of the estate of the dead person, or
 - (b) the nearest surviving relative of the dead person, or
 - (c) if there is no such executor or relative available to make the application – a person who, in the opinion of the Director-General, is a proper person in all the circumstances to make the application.
- (2) Such an application is to be made to the Director-General in the approved form and is to be accompanied by:
 - (a) a certified copy of the death certificate relating to the dead person, and
 - (b) a statutory declaration as to the relationship of the applicant to the dead person and the dead person’s wishes, if any, regarding the disposal of his or her body (so far as any such wishes are known to the applicant), and
 - (c) an application fee \$270

All applications to exhume remains must be made in writing using an approved form to the Director of the local PHU that acts on behalf of the Director-General of the NSW Department of Health – see section 6 for further information and the form. The application fee may increase periodically in line with the Consumer Price Index.

Clause 27: Approval to exhume remains

- (1) The Director-General may:
 - (a) grant an approval to exhume the remains of a body, subject to such conditions as may be specified in the approval, or
 - (b) refuse the application
- (2) An approval granted under this clause lapses at the expiration of 3 months after the date of the approval or within any longer time agreed to by the Director-General.

NSW Health is not bound to approve of the application. NSW Health may approve, approve subject to conditions, or refuse the application. An approval is normally given for 3 calendar months and this date will be specified in a schedule of conditions attached to the approval document. Any further extension of time may require re-application and re-approval. An approval initially for longer than 3 months should be negotiated with the PHU.

Clause 28: Exhumations not to take place without officer present

- (1) A person must not proceed with an exhumation unless an officer of the Department of Health or an environmental health officer (whether an officer of the Department of Health or otherwise) is present at the exhumation.
- (2) A person must not proceed with an exhumation if an officer of the Department of Health, or an environmental health officer, present has ordered the exhumation to stop.

The exhumation must not proceed unless a NSW Health EHO or Local Council EHO is present. The grave may be excavated to the lid of the coffin but nothing must be disturbed until the arrival of the EHO. An EHO must be present at the exhumation to ensure that the correct interment is opened, to ensure that all of the remains are exhumed and to enforce the protection of public health should this be necessary. The EHO has the power to order that the exhumation be stopped immediately under adverse circumstances. The initial order to stop is to be given verbally and then confirmation in writing to all parties involved, within 24 hours.

4.2 Occupational Health and Safety Act 2000, Occupational Health and Safety Regulation 2001 and Code of Practice for Excavation provisions apply to protect personnel involved in the exhumation procedure by creating and maintaining safe and healthy work practices. Graves, crypts and vaults could be considered to be “confined spaces” in some circumstances under OH&S legislation. The *Occupational Health and Safety Regulation 2001* makes reference to working in confined spaces.

The *Occupational Health and Safety Regulation 2001* and Code of Practice for Excavation are available online at:
http://www.austlii.edu.au/au/legis/nsw/consol_reg/ohasr2001364/ and
<http://www.workcover.nsw.gov.au/Publications/LawAndPolicy/CodesofPractice/excavation.htm> respectively.

OH&S matters are enforced by WorkCover Authority and for further information contact should be made with WorkCover Authority NSW:
<http://www.workcover.nsw.gov.au/default>

4.3 Heritage Act 1977 and Guidelines for the Management of Human Skeletal Remains under the Heritage Act 1977 applies to “relic” burials. Any burial site over 50 years old is considered to be “relic” under the *Heritage Act*.

If the site is listed on the State Heritage Register then approval is required from the Heritage Council of NSW. An application must be made to the Heritage Office before any disturbance, removal or work commences on the site. Approval for an exhumation under the *Public Health Act 1991* does not obviate the necessity to obtain approval under the *Heritage Act 1977*.

For further information contact the Heritage Office of NSW or visit:
<http://www.heritage.nsw.gov.au>

4.4 Coroner’s Act 1980. The Coroner may order an exhumation for the purposes of forensic investigation or a criminal investigation. Such an order is

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outside the ambit of the *Public Health (Disposal of Bodies) Regulation 2002*. The Police may request that an EHO be present at the Coronial exhumation.

4.5 Births, Deaths and Marriages Registration Act 1995, clause 41(2) requires that if human remains (other than cremated remains) are removed from NSW, the funeral director or other person who arranges for the removal of the remains from NSW must, within 28 days of disposal of the remains outside NSW, give the Registrar a notice of the new location of interment. The act is available at: http://www.austlii.edu.au/au/legis/nsw/consol_act/bdamra1995383/ The Registry of Births, Deaths and Marriages may be contacted via: <http://www.bdm.nsw.gov.au>

5. THE RISK MANAGEMENT ROLE OF THE CEMETERY AUTHORITY AND FUNERAL DIRECTORS

The cemetery authority and the funeral director are both responsible for providing a workplace that minimises risk to the health and safety of the people who are involved in the exhumation. It is recommended that the cemetery authority and funeral director develop a risk management plan to achieve this. Alternatively, a safe work method statement can be developed.

The cemetery authority and the funeral director should provide all staff involved in exhumations with relevant induction and ongoing training essential to safe performance of their duties. “Safe Grave Techniques” is a training resource prepared by the Cemeteries and Crematoria Association of NSW and is available as a training package through NSW Department of Education and Training. It is recommended that all staff involved in exhumations complete this course.

A risk management plan gives due consideration to public health, and occupational health and safety issues with the objective of eliminating, and if not practicable, minimising risks of injuries and infection at an exhumation site. There are no fixed rules of risk management and each organisation should consider their own situation and circumstances and draft a risk management plan accordingly.

Appendix I contains a sample risk management plan template as a guide to identifying and managing hazards that could be encountered during the exhumation.

There are 5 action steps in developing a risk management plan.

- Job Steps
- Hazard Identification
- Risk Assessment
- Control Measures
- Communication

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Action 1 - Job steps

Break down exhumation process into steps.

Action 2 - Hazard Identification

Identify potential hazards at each job step.

A hazard is anything that causes harm. Table 1 on the next page lists examples of psychosocial, physical and biological hazards that may occur during and exhumation.

Action 3 – Risk assessment (characterisation)

A risk is the chance or likelihood that someone could be harmed by a hazard, together with an indication of how serious that harm could be. Table 2 below, scores the relationship between the likelihood and severity of risk (consequence) and allocates a rating of high, medium or low.

Table 2

Likelihood	Consequence		
	Major	Moderate	Minor
Likely	1	1	2
Possible	1	2	3
Unlikely	2	3	3

Risk level	Risk indicator
1	High risk
2	Medium risk
3	Low risk

Likelihood of risk:

Likely the hazard is expected to happen
 Possible the hazard may happen at some time
 Unlikely the hazard may happen only in exceptional circumstances

Consequences of risk:

Major the hazard has the potential to cause the death or permanent disability
 Medium the hazard has the potential to cause a serious injury, or illness, which will temporarily disable
 Low the hazard has the potential to cause a minor injury, which would not disable

Action 4 – Control measures

Specify what action or procedures will be taken to eliminate or minimise the hazards and reduce the risk of injury or infection. Control measures should

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always aim first at eliminating the hazard and, if not practicable, minimising the risks. Infection control procedures must be followed where appropriate.

See [Table 1](#) for examples of control measures that could be taken during an exhumation.

Action 5 – Risk Communication

The hazards, risks and control measures then need to be communicated and explained to all persons, including visitors to the exhumation. All involved in the exhumation, including the EHO must understand the risk strategies contained in the risk management plan.

For more guidance and advice on risk management refer to:
*AS/NZS 4360:2004 Australian/New Zealand Standard Risk Management
HB436, Risk Management Guidelines – Companion to AS/NZS 4360:2004*

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Table 1: Risk Assessment

Hazards identification	Risk analysis	Control measurement
<p>1. Psychosocial hazard View of the exhumation site</p>	<ul style="list-style-type: none"> • Privacy and respect to the deceased needs to be maintained all the times during exhumation • View of the gravesite to the public, relatives and staff handling exhumation may cause psychological distress. 	<ul style="list-style-type: none"> • The gravesite be screened from public view by means of a non-transparent partition not less than 1.5 m in height. • The presence of any relative or other person known to the deceased at the exhumation be strictly prohibited. • No animals to be permitted within the exhumation site.
<p>2. Physical hazard</p> <ul style="list-style-type: none"> • Excavation work related risks (the fall or dislodgement of earth and rock, the instability of the excavation or any adjoining structure etc) • Manual handling 	<ul style="list-style-type: none"> • Injury or accident caused by: <ul style="list-style-type: none"> - moving parts of equipment, machinery, etc - collapse of the gravesite due to inadequate shoring - dust • Strains due to incorrect or excessive: <ul style="list-style-type: none"> - lifting - bending - reaching - carrying 	<p>Cemetery Authority and Funeral Directors should comply the provisions of the Occupational Health and Safety Regulation 2001 and Code of Practice for Excavation.</p> <p>All personnel involved in exhumations should be informed and instructed about health and safety risks and be provided with appropriate protective equipment and material.</p>
<p>3. Biological hazard Infectious micro-organisms in the remains of the body or in the soil.</p>	<p>The majority of the infectious micro-organisms will not be viable after a short period of time. Organisms causing death from anthrax may survive for significant periods of time because anthrax can form highly resistant spores. A literature review suggests that smallpox virus can survive for long period's time in dry scabs (13 years has been documented). However, under normal environmental conditions, the virus is very unlikely to survive for more than 48 hours¹. Pathogens associated with human remains are likely to pose less risk than lead dust, and coffin wood, which may be contaminated with mould or parasite eggs, or powdered by wood boring insects.²</p>	<ul style="list-style-type: none"> • "Infection Control Process"³ • PPE (personal protective equipment): <ul style="list-style-type: none"> - eye protection (goggles) - respiratory protection (masks, powered air purifying respirators) - body protection (outer garment, heavy duty water proof gloves, industrial safety boots, hard hat) • On site washing facilities, disinfectant soap or alcohol hand wipes • Disposable items should be collected in a suitable bag and disposed appropriately. Non-disposable items should be cleaned and disinfected. • Any contents of the grave should be reburied or disposed in an appropriate manner. • Exhumed soil should be backfilled; the soil that was removed from immediately above and around the coffin should be replaced first.

¹ Controlling the Risks of Infection at Work From Human Remains Health and Safety Commission UK Government 2005

² Healing TD, Hoffman PN, Young SE. *The Infectious Hazards of Human Cadavers*. Communicable Disease Rep CDR Rev. 1995; 5(5):R61-8

³ NSW Health Policy Directive, Infection Control Policy, PD2007_036, Section 2, "Infection Control Process"

6. APPLICATION REQUIREMENTS

An application for permission to exhume the remains of a deceased person is to be made to the PHU on the approved form which is contained in NSW Health Policy Directive PD2006_081 – “Form CL 26(2) Application to exhume remains”. This Policy Directive can be downloaded from:

http://www.health.nsw.gov.au/policies/pd/2006/PD2006_081.html

The application must be made by either:

- an executor of the estate of the deceased, or
- the nearest surviving relative – see the definition on page 3; or
- when the above cannot be found a proper person determined by NSW Health to make an application. This could be, for example, the owner of the cemetery, or the Director-General of the RTA if a road was to be built through the burial site.

The application must be accompanied by:

1. A certified copy of the death certificate (death certificate issued by the Registry of Births, Deaths and Marriages)
2. A statutory declaration that states:
 - the relationship between the applicant and the deceased or the reason the applicant is the proper person to make the application
 - if the deceased left any instructions regarding the disposal of their body/remains if known.
3. An application fee of \$270, which is occasionally adjusted according to the Consumer Price Index.
4. A risk management plan drafted by the cemetery authority and funeral director.

In addition to the above an applicant should declare that he or she has consulted each nearest surviving relative and that they have no objection to the proposed exhumation. If there is no agreement amongst nearest surviving relatives, the applicant should seek independent legal advice regarding this issue.

7. APPROVAL BY NSW HEALTH

Approval by NSW Health for an exhumation must be given by formal correspondence, which may include an exchange of facsimile if considered appropriate.

7.1 Delegation

The Director-General's authority under clauses 25 and 27, *Public Health (Disposal of Bodies) Regulation 2002* has been delegated (delegation PH309) to the Area Health Service Public Health Unit Director and Medical Officer of Health. Either delegate can sign the approval.

7.2 Prohibited Exhumations

There is a restriction in the exhumation of the remains if the deceased was infected with a List "B" disease, as defined *Public Health (Disposal of Bodies) Regulation 2002*. (See section 3: Key Definitions). Where the deceased was infected with respiratory anthrax, smallpox and any viral haemorrhagic fever (including Lassa, Marburg, Ebola, and Congo-Crimean fevers), exhumation is prohibited. If the deceased was infected with diphtheria or tuberculosis, exhumation is not permitted in the first year of interment.

Although not prohibited, an exhumation of the remains of a body that was buried without a coffin will be approved only where the cemetery authority and funeral director have agreed to proceed with the exhumation, especially during the first three years of interment.

7.3 Conditions of Approval

After due consideration of the application, statutory declaration(s) and the risk management plan, the PHU should then consider applying appropriate conditions to facilitate an approval. Compliance with these conditions is compulsory and failure to comply may render those responsible to legal proceedings.

There are two standard sets of approval conditions from which to choose as appropriate:

- **Appendix II – Schedule A - Conditions of Approval for Exhumation from a Grave**
- **Appendix III – Schedule B - Conditions of Approval for Exhumation from an Above Ground Structure**

Any other additional conditions that are deemed necessary to permit the exhumation may be added to schedule A or B based on the individual circumstances of the exhumation. If some conditions are unwarranted they may be removed from the schedule.

7.4 Approval Instrument

An approval must be in writing and must be signed by the delegate of the Director-General. A template to assist in the approval process can be found at Appendix IV. This template is to be completed by the EHO in order to facilitate approval by the delegate.

7.5 Notification of Approval

The approval instrument is retained on file as a permanent record that approval was granted by the delegate. Therefore it is necessary to advise the applicant, the cemetery authority and the funeral director of the approval.

The attached letter templates may be used for approval notification of the exhumation to the applicant, funeral director and Cemetery Authority.

- **Appendix V – Sample Letter to Applicant**
- **Appendix VI – Sample Letter to the Cemetery Authority and Funeral Director**

7.6 Refusals

If after due consideration of the application the approval is to be refused then the applicant should be notified in writing specifying the reasons for refusal.

7.7 Cremation of Remains

Where the remains of a deceased are to be exhumed for cremation it is still necessary to complete the appropriate certificate and permits under Part 6 of the Public Health (Disposal of Bodies) Regulation 2002 for submission to the cremation authority.

In most cases this may be impossible to achieve and therefore could prevent cremation of remains. It would be appropriate to discuss this issue with the funeral director prior to planning an exhumation.

Risk Management Plan Template

Name of the Cemetery Authority			
Name of the Funeral Director			
Name of the Applicant			
Date of Exhumation			
Job steps Break the exhumation process down into steps	Potential Hazard What can harm you?	Risk Level 1. High risk 2. Medium risk 3. Low risk	Control Measures Action that is necessary to eliminate or minimize hazard and reduce risk

Reviewed and agreed by:

1. For cemetery authority: Name _____ Signature _____ Date _____

2. For Funeral Director: Name _____ Signature _____ Date _____

Schedule A

APPENDIX II

CONDITIONS OF APPROVAL FOR EXHUMATION FROM GRAVE

(PHU selects appropriate conditions from below)

1. The exhumation is to be carried out in the presence of a NSW Health authorised Environmental Health Officer (EHO) or other authorised officer of the NSW Department of Health or Local Council authorised EHO and person appointed by Cemetery Authority.
2. At least 48 hours notice of the exhumation arrangements shall be given to the Public Health Unit.
3. Day and time of the exhumation shall be arranged by the participating parties and agreed to by the Public Health Unit.
4. The approval granted is valid for a period of three months and shall lapse on ___/___/____, unless a further approval is granted.
5. The presence of any relative of the deceased at the exhumation is strictly prohibited.
6. No animals are to be permitted within the exhumation site.
7. The cemetery authority and funeral director shall be responsible for the occupational health and safety of all persons involved in the exhumation and shall ensure that all NSW WorkCover Authority requirements are complied with.
8. If, during the course of the exhumation, it is determined necessary to stop the exhumation by either the exhumation supervisor/cemetery manager or Environmental Health Officer, for any valid reason eg. occupational health and/or public health risk, then the exhumation must cease.
9. The remains of the deceased shall be enclosed in a body bag and placed into a new coffin with a name plate attached inscribed with the name of the deceased.
10. The remains of the original coffin are to be placed in the new coffin where possible. Where there is an excess of remains of the original coffin, these remains should be disposed in a sanitary and agreed manner.
11. Excavated soil should be back filled. The soil that was removed from immediately above and around the coffin should be replaced first.
12. If the exhumed remains are to be transferred to another cemetery, a funeral director shall be contracted to transfer the remains from the cemetery grounds or carry out reparatory work for the safe reinterment of the remains.
13. The exhumation will not proceed during or following a period of heavy rainfall within the preceding 24 hours of the appointed time of exhumation unless it can be determined by the cemetery authority that conditions are satisfactory or that risks of grave collapse have been considered and mitigated in the risk management plan. The cemetery manager is to confirm that satisfactory conditions exist for the exhumation to proceed two hours prior to the commencement of the exhumation.
14. Used disposable protective equipment and materials are to be placed in a sealed plastic bag and disposed of in a sanitary and agreed manner.
15. Failure to comply with the above conditions or any direction given may render those responsible liable to legal proceedings.

Schedule B

APPENDIX III

CONDITIONS OF APPROVAL FOR EXHUMATION FROM ABOVE GROUND STRUCTURE

(PHU selects appropriate conditions from below)

1. The exhumation is to be carried out in presence of a NSW Health authorised Environmental Health Officer (EHO) or other authorised officer of the Department of Health or Local Council authorised EHO and person appointed by Cemetery Authority.
2. At least 48 hours notice of the exhumation arrangements shall be given to the Public Health Unit.
3. Date and time of the exhumation shall be arranged by the participating parties and agreed to by the Public Health Unit.
4. An approval granted is valid for a period of three months and shall lapse on ___/___/___, unless a further approval is granted.
5. The cemetery authority and funeral director shall be responsible for the occupational health and safety of all persons involved in the exhumation and shall ensure that all NSW WorkCover Authority requirements are complied with.
6. If, during the course of the exhumation, it is determined necessary to stop the exhumation by either the exhumation supervisor/Cemetery Manager or Environmental Health Officer, if for any valid reason eg. occupational health and/or public health risks, then the exhumation must cease.
7. Used disposable protective equipment and materials are to be placed in a sealed plastic bag and disposed in a sanitary and agreed manner.
8. Failure to comply with the above conditions or any direction given may render those responsible liable to legal proceedings before a Magistrate.

APPENDIX IV
APPROVAL INSTRUMENT TEMPLATE



**Public Health Unit
Environmental Health Section**

File Number: [XXXXXX]

PURPOSE: To approve of the exhumation of the late _____

SUMMARY OF KEY ISSUES:

[DETAILS OF THE APPLICATION, STATUTORY DECLARATION, RELEVANT ISSUES, MANAGEMENT PLAN AND JUSTIFICATION OF SUGGESTED CONDITIONS ARE TO BE INCLUDED HERE]

RECOMMENDATION:

Approval be granted by the Director-General pursuant to clause 27(1)(a) *Public Health (Disposal of Bodies) Regulation 2002* to [NAME OF APPLICANT] to exhume the remains of the late [NAME OF DECEASED].

The approval be subject to compliance with the conditions specified in *Schedule A/Schedule B and to expire on ____/____/____.

Signature: [SIGN]

Author:
Environmental Health Officer

Telephone:

Date:

-
- 1 Senior Environmental Health Officer [SIGN AND DATE]

 - 2 Director, Public Health Unit/Medical Officer of Health [SIGN AND DATE]:
Approved vide delegation from the Director-General PH309 page 8.55 Public Health Delegations Manual under clause 25 and 27(1)(a) Public Health (Disposal of Bodies) Regulation, 2002.

* Omit that which is not applicable

APPENDIX V

SAMPLE LETTER TO APPLICANT LETTERHEAD

[APPLICANT'S NAME]
[ADDRESS]

Dear [APPLICANT'S NAME]

Reference is made to your application of [DATE] requesting approval to exhume the remains of late [NAME OF DECEASED] from *grave / vault / crypt No: _____, Section _____, [NAME OF PLACE OF INTERMENT OR CEMETERY] for the purpose of re-interment to [NAME OF PLACE FOR RE-INTERMENT].

Approval has been granted by the Director-General pursuant to clause 27 (1) (a) *Public Health (Disposal of Bodies) Regulation 2002*, subject to compliance with the conditions specified in *Schedule A / Schedule B attached.

Should you have any inquiries please contact the [EHO] on [TELEPHONE].

Yours sincerely,

[NAME]
Environmental Health Officer

[DATE]

* Omit that which is not applicable

APPENDIX VI

SAMPLE LETTER TO CEMETERY AUTHORITY AND FUNERAL DIRECTORS LETTERHEAD

[NAME]
[ADDRESS]

[DATE]

Dear [NAME]

EXHUMATION OF THE REMAINS OF THE LATE [NAME OF DECEASED]

Approval has been granted for the exhumation of the late [NAME OF DECEASED] from *grave / vault / crypt No: _____, Section _____, [NAME OF PLACE OF INTERMENT OR CEMETERY] in accordance with clause 27(1) (a), *Public Health (Disposal of Bodies) Regulation 2002*, and subject to compliance with the conditions specified in *Schedule A / Schedule B attached.

A copy of the approval letter is attached for your information.

Should you have any inquiries please contact [EHO] on [TELEPHONE].

Yours sincerely,

[NAME]
Environmental Health Officer

* Omit that which is not applicable