

PORT PIRIE REGIONAL COUNCIL

BURIAL AND CREMATION ACT 2013

05 FEBRUARY 2024

Delegation Sources

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Note - Exported provisions are sorted by Delegation Source and Section.

- Burial and Cremation Act 2013

Positions

Abbreviation	Position
Director Infrastructure	Director Infrastructure

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
446652	A*	Burial and Cremation Act 2013	section 8(2)	Approve the interment of bodily remains	Not Sub-Delegated		council
446653	A*	Burial and Cremation Act 2013	section 13(4)	Inter additional bodily remains	Not Sub-Delegated		relevant authority for cemetery or crematorium
446654	A*	Burial and Cremation Act 2013	section 13(6)	Be consulted by the Attorney-General regarding the opening of an interment site, exhumation or removal of bodily remains or re-interment of bodily remains	Not Sub-Delegated		relevant authority for cemetery or crematorium
446655	A*	Burial and Cremation Act 2013	section 18(1)	Ensure that cremated remains are only released to an authorised person	Not Sub-Delegated		relevant authority for cemetery or crematorium
446656	A*	Burial and Cremation Act 2013	section 18(2)	Dispose of cremated remains	Not Sub-Delegated		relevant authority for cemetery or crematorium
446657	A*	Burial and Cremation Act 2013	section 19	Establish a cemetery, natural burial ground or crematorium	Not Sub-Delegated		council

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446658	A*	Burial and Cremation Act 2013	section 20	Establish and manage a public mortuary	Not Sub-Delegated		council
446659	A*	Burial and Cremation Act 2013	section 21	Establish a mausoleum	Not Sub-Delegated		relevant authority for cemetery or crematorium
446660	A*	Burial and Cremation Act 2013	section 22	Provide part of a cemetery as a natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446661	A*	Burial and Cremation Act 2013	section 23	Set apart part of a cemetery or natural burial ground for a particular religion	Director Infrastructure		relevant authority for cemetery or crematorium
446662	A*	Burial and Cremation Act 2013	section 24(1)	Close a cemetery or natural burial ground	Not Sub-Delegated		relevant authority for cemetery or crematorium
446663	A*	Burial and Cremation Act 2013	section 24(2)	Provide notice of proposed closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446664	A*	Burial and Cremation Act 2013	section 24(5)	Provide details of representations or submissions to the Minister	Director Infrastructure		relevant authority for cemetery or crematorium

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				regarding the proposed closure of a cemetery or natural burial ground			
446665	A*	Burial and Cremation Act 2013	section 24(8)(a)	Discharge unexercised interment rights and provide a refund by agreement with the interment holder on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446666	A*	Burial and Cremation Act 2013	section 24(8)(b)	Discharge unexercised interment rights and issue a new interment right by agreement with the interment holder on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446667	A*	Burial and Cremation Act 2013	section 24(9)(a)	Discharge interment rights and issue a new interment right with the interment holder on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium

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446668	A*	Burial and Cremation Act 2013	section 24(9)(b)	Remove and re-inter human remains by agreement with the interment holder on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446669	A*	Burial and Cremation Act 2013	section 24(9)(c)	Remove and reposition a memorial by agreement with the interment holder on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446670	A*	Burial and Cremation Act 2013	section 24(10)	Referral of matter for mediation if agreement cannot be reached on the discharge of an interment right on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446671	A*	Burial and Cremation Act 2013	section 24(11)	Pay for mediation with respect to the discharge of an interment right on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium

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446672	A*	Burial and Cremation Act 2013	section 24(12)(a)	Offer land as a gift on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446673	A*	Burial and Cremation Act 2013	section 24(12)(b)	Demolish, remove, relocate or replace a grave on closure of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446674	A*	Burial and Cremation Act 2013	section 24(14)	Prepare an inventory prior to closure of a cemetery or natural burial ground identifying all graves and memorial, a record of all inscriptions and other particulars on memorials and a photograph of each memorial	Director Infrastructure		relevant authority for cemetery or crematorium
446675	A*	Burial and Cremation Act 2013	section 24(15)	Make the inventory of graves and memorials available to the public	Director Infrastructure		relevant authority for cemetery or crematorium
446676	A*	Burial and Cremation Act 2013	section 25(1)	Petition the Minister to have trust on which land is held by council which was formerly a	Director Infrastructure		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				cemetery or natural burial ground determined and the land dedicated as park lands			
446677	A*	Burial and Cremation Act 2013	section 25(5)	Pay costs of advertising or inquiry related to the determination of a trust and dedication of land as park lands	Director Infrastructure		council
446678	A*	Burial and Cremation Act 2013	section 25(4)(a)	Remove memorials if a closed cemetery is dedicated as park lands	Director Infrastructure		relevant authority for cemetery or crematorium
446679	A*	Burial and Cremation Act 2013	section 25(4)(b)	Relocate memorials if a closed cemetery is dedicated as park lands	Director Infrastructure		relevant authority for cemetery or crematorium
446680	A*	Burial and Cremation Act 2013	section 25(4)(c)	Replace memorials if a closed cemetery is dedicated as park lands	Director Infrastructure		relevant authority for cemetery or crematorium
446681	A*	Burial and Cremation Act 2013	section 26(2)	Convert a closed cemetery which is not on land held on trust by the council or that includes land under the care,	Director Infrastructure		relevant authority for cemetery or crematorium

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				control and management of a council into a public park or garden			
446682	A*	Burial and Cremation Act 2013	section 26(3)	Give notice of intention to convert a cemetery into a public park where the cemetery is not on land held on trust by the council or that includes land under the care, control and management of a council	Director Infrastructure		relevant authority for cemetery or crematorium
446683	A*	Burial and Cremation Act 2013	section 26(6)(a)	Remove memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Director Infrastructure		relevant authority for cemetery or crematorium
446684	A*	Burial and Cremation Act 2013	section 26(6)(b)	Relocate memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Director Infrastructure		relevant authority for cemetery or crematorium

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446685	A*	Burial and Cremation Act 2013	section 26(6)(c)	Replace memorials a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Director Infrastructure		relevant authority for cemetery or crematorium
446686	A*	Burial and Cremation Act 2013	section 27(1)(a)	Construct roads and pathways for purpose of converting closed cemetery into a public park or garden	Director Infrastructure		relevant authority for cemetery or crematorium
446687	A*	Burial and Cremation Act 2013	section 27(1)(b)	Erect or construct buildings for purpose of converting closed cemetery into a public park or garden	Director Infrastructure		relevant authority for cemetery or crematorium
446688	A*	Burial and Cremation Act 2013	section 27(1)(c)	Construct a vault or other repository for human remains for purpose of converting closed cemetery into a public park or garden	Director Infrastructure		relevant authority for cemetery or crematorium
446689	A*	Burial and Cremation Act 2013	section 27(1)(d)	Erect lighting, seating or other infrastructure or public amenity for purpose of	Director Infrastructure		relevant authority for cemetery or crematorium

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				converting closed cemetery into a public park or garden			
446690	A*	Burial and Cremation Act 2013	section 27(1)(e)	Take such other action for laying out land as parklands or a public place or garden for purpose of converting closed cemetery into a public park or garden	Director Infrastructure		relevant authority for cemetery or crematorium
446691	A*	Burial and Cremation Act 2013	section 28(1)	Provide notice of cemetery or natural burial ground closure to the Registrar	Director Infrastructure		relevant authority for cemetery or crematorium
446692	A*	Burial and Cremation Act 2013	section 28(2)	Provide notice of crematorium closure to the Registrar or the Environment Protection Authority	N/A		relevant authority for cemetery or crematorium
446693	A*	Burial and Cremation Act 2013	section 28(3)	Forward records of closed cemetery, natural burial ground or crematorium to the Libraries Board of South Australia	Director Infrastructure		relevant authority for cemetery or crematorium

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446694	A*	Burial and Cremation Act 2013	section 30(1)	Agree to the interment of human remains	Director Infrastructure		relevant authority for cemetery or crematorium
446695	A*	Burial and Cremation Act 2013	section 30(1)	Issue an interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446696	A*	Burial and Cremation Act 2013	section 30(2)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person applying for an interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446697	A*	Burial and Cremation Act 2013	section 30(3)	Determine capacity of interment site	Director Infrastructure		relevant authority for cemetery or crematorium
446698	A*	Burial and Cremation Act 2013	section 30(5)	Carry out a lift and deepen procedure	Director Infrastructure		relevant authority for cemetery or crematorium
446699	A*	Burial and Cremation Act 2013	section 32(1)	Renew interment right	Director Infrastructure		relevant authority for cemetery or crematorium

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446700	A*	Burial and Cremation Act 2013	section 32(1)	Fix renewal fee	Director Infrastructure		relevant authority for cemetery or crematorium
446701	A*	Burial and Cremation Act 2013	section 32(2)	Provide notice of interment right expiry	Director Infrastructure		relevant authority for cemetery or crematorium
446702	A*	Burial and Cremation Act 2013	section 32(3)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person renewing interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446703	A*	Burial and Cremation Act 2013	section 33(1)	Transfer an interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446704	A*	Burial and Cremation Act 2013	section 33(1)(a)	Determine consideration for transfer of interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446705	A*	Burial and Cremation Act 2013	section 33(3)	Record interment right transfer in register	Director Infrastructure		relevant authority for cemetery or crematorium

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
446706	A*	Burial and Cremation Act 2013	section 34(1)	Receive surrendered interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446707	A*	Burial and Cremation Act 2013	section 34(2)	Provide a refund on the surrender of an unexercised interment right	Director Infrastructure		relevant authority for cemetery or crematorium
682810	A*	Burial and Cremation Act 2013	Section 35(4)	Comply with obligations under an interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446708	A*	Burial and Cremation Act 2013	section 37(1)	Keep a register of interment rights	Director Infrastructure		relevant authority for cemetery or crematorium
446709	A*	Burial and Cremation Act 2013	section 37(2)	Record information in the interment rights register	Director Infrastructure		relevant authority for cemetery or crematorium
446710	A*	Burial and Cremation Act 2013	section 38(1)(a)	Reuse an interment site on expiry of an interment right	Director Infrastructure		relevant authority for cemetery or crematorium

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446711	A*	Burial and Cremation Act 2013	section 38(1)(b)	Remove a memorial on expiry of an interment right	Director Infrastructure		relevant authority for cemetery or crematorium
446712	A*	Burial and Cremation Act 2013	section 38(2)(a)	Give notice of intention to reuse an interment site by public advertisement	Director Infrastructure		relevant authority for cemetery or crematorium
446713	A*	Burial and Cremation Act 2013	section 38(2)(b)	Give notice of intention to reuse an interment site by notice to the personal representative of the deceased	Director Infrastructure		relevant authority for cemetery or crematorium
446714	A*	Burial and Cremation Act 2013	section 39(2)	Deal with and dispose of a memorial in accordance with the Burial and Cremation Act	Director Infrastructure		relevant authority for cemetery or crematorium
446715	A*	Burial and Cremation Act 2013	section 40	Enter into an agreement with an interment right holder to maintain memorial	Director Infrastructure		relevant authority for cemetery or crematorium
446716	A*	Burial and Cremation Act 2013	section 41(1)	Provide notice requiring repair, removal or reinstatement of memorial	Director Infrastructure		relevant authority for cemetery or crematorium

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
446717	A*	Burial and Cremation Act 2013	section 41(2)	Carry out repair, removal or reinstatement work	Director Infrastructure		relevant authority for cemetery or crematorium
446718	A*	Burial and Cremation Act 2013	section 41(2)	Recover costs of work repairing, removing or reinstating a memorial	Director Infrastructure		relevant authority for cemetery or crematorium
446719	A*	Burial and Cremation Act 2013	section 41(3)	Carry out repair, removal or reinstatement work	Director Infrastructure		relevant authority for cemetery or crematorium
446720	A*	Burial and Cremation Act 2013	section 41(3)	Recover costs of work repairing, removing or reinstating a memorial	Director Infrastructure		relevant authority for cemetery or crematorium
446721	A*	Burial and Cremation Act 2013	section 42(1)	Remove and dispose of memorial where interment right has expired	Director Infrastructure		relevant authority for cemetery or crematorium
446722	A*	Burial and Cremation Act 2013	section 42(1)(c)	Give notice of intention to remove and dispose of a memorial on expired interment site by public advertisement and notice affixed to the memorial	Director Infrastructure		relevant authority for cemetery or crematorium

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446723	A*	Burial and Cremation Act 2013	section 42(1)(d)	Give notice of intention to remove and dispose of a memorial on expired interment site by public notice to owner of memorial	Director Infrastructure		relevant authority for cemetery or crematorium
446724	A*	Burial and Cremation Act 2013	section 42(2)	Keep prescribed records of disposed memorials	Director Infrastructure		relevant authority for cemetery or crematorium
446725	A*	Burial and Cremation Act 2013	section 43(a)	Enlarge a cemetery, natural burial ground or crematorium	Director Infrastructure		relevant authority for cemetery or crematorium
446726	A*	Burial and Cremation Act 2013	section 43(b)	Improve or embellish a cemetery, natural burial ground or crematorium	Director Infrastructure		relevant authority for cemetery or crematorium
446727	A*	Burial and Cremation Act 2013	section 43(c)	Restrict interments in any part of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446728	A*	Burial and Cremation Act 2013	section 43(d)	Take action for proper management and maintenance of a cemetery,	Director Infrastructure		relevant authority for cemetery or crematorium

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				natural burial ground or crematorium			
446729	A*	Burial and Cremation Act 2013	section 45	Restrict interments in any part of a cemetery or natural burial ground	Director Infrastructure		relevant authority for cemetery or crematorium
446730	A*	Burial and Cremation Act 2013	section 46(1)	Issue notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Director Infrastructure		council
446731	A*	Burial and Cremation Act 2013	section 46(1)	Respond to notice from the Minister that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Director Infrastructure		relevant authority for cemetery or crematorium
446732	A*	Burial and Cremation Act 2013	section 46(3)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply	Director Infrastructure		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				with the Burial and Cremation Act			
446733	A*	Burial and Cremation Act 2013	section 46(4)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Director Infrastructure		council
446734	A*	Burial and Cremation Act 2013	section 46(5)	Recover costs of work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Director Infrastructure		council
446735	A*	Burial and Cremation Act 2013	section 47(1)	Apply for review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to	Director Infrastructure		relevant authority for cemetery or crematorium

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				comply with the Burial and Cremation Act			
446736	A*	Burial and Cremation Act 2013	section 47(1)	Make submissions on a review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition	Director Infrastructure		council
446737	A*	Burial and Cremation Act 2013	section 48(1)	Receive land used as a cemetery or natural burial ground on trust	Not Sub-Delegated		council
446738	A*	Burial and Cremation Act 2013	section 49(1)	Assume administration of cemetery or natural burial ground	Not Sub-Delegated		council
446739	A*	Burial and Cremation Act 2013	section 49(1)(c)	Agree to transfer administration of cemetery or natural burial ground	Director Infrastructure		council
446740	A*	Burial and Cremation Act 2013	section 50(1)	Allow access to of cemetery, natural burial ground or crematorium	Director Infrastructure		relevant authority for cemetery or crematorium

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446741	A*	Burial and Cremation Act 2013	section 50(2)	Require person to leave cemetery, natural burial ground or crematorium	Director Infrastructure		relevant authority for cemetery or crematorium
446742	A*	Burial and Cremation Act 2013	section 51(1)	Deal with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Sub-Delegated		relevant authority for cemetery or crematorium
446743	A*	Burial and Cremation Act 2013	section 51(2)	Discharge interment rights prior to dealing with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Sub-Delegated		relevant authority for cemetery or crematorium
446744	A*	Burial and Cremation Act 2013	section 51(2)(a)	Provide refund to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Sub-Delegated		relevant authority for cemetery or crematorium
446745	A*	Burial and Cremation Act 2013	section 51(2)(b)	Issue new interment right to holder of an interment right on the discharge of that right	Not Sub-Delegated		relevant authority for cemetery or crematorium

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				in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce			
446746	A*	Burial and Cremation Act 2013	section 52	Deal with land which was a cemetery or natural burial ground closed in accordance with the Burial and Cremation Act in ordinary course of commerce	Not Sub-Delegated		council
446747	A*	Burial and Cremation Act 2013	section 53(1)	Keep registers and plan prescribed by Burial and Cremation Act	Director Infrastructure		relevant authority for cemetery or crematorium
446748	A*	Burial and Cremation Act 2013	section 53(3)	Keep records prescribed by Burial and Cremation Act	Director Infrastructure		relevant authority for cemetery or crematorium
446749	A*	Burial and Cremation Act 2013	section 53(4)	Make registers prescribed by Burial and Cremation Act publicly available	Director Infrastructure		relevant authority for cemetery or crematorium

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446750	A*	Burial and Cremation Act 2013	section 53(5)	Produce a register prescribed by Burial and Cremation Act for inspection	Director Infrastructure		relevant authority for cemetery or crematorium
446751	A*	Burial and Cremation Act 2013	section 56(1)	Request Public Trustee to act for interment right holder	Director Infrastructure		relevant authority for cemetery or crematorium
446752	A*	Burial and Cremation Act 2013	section 58(2)	Appoint authorised officers	Not Sub-Delegated		council
446753	A*	Burial and Cremation Act 2013	section 58(3)	Impose conditions on appointment of an authorised officer	Not Sub-Delegated		council
446754	A*	Burial and Cremation Act 2013	section 58(4)	Issue identity card to an authorised officer	Not Sub-Delegated		council
446755	A*	Burial and Cremation Act 2013	section 58(7)	Vary or revoke appointment or impose further conditions on an authorised officer	Not Sub-Delegated		council