

Australian Capital Territory

# Cemeteries and Crematoria (Immersion of Cremated Remains in Flowing Water) Code of Practice 2023

Disallowable instrument DI2023–215

made under the

**Cemeteries and Crematoria Act 2020, section 123 (Code of Practice - approval)**

## EXPLANATORY STATEMENT

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Section 123 of the *Cemeteries and Crematoria Act 2020* (the Act) provides that the Minister may approve a code of practice in relation to facilities (cemeteries and crematoria), the burial, cremation, exhumation or transportation of human remains, the interment and disinterment of cremated remains, and the memorialisation of a deceased person.

This Code of Practice (the Code) determines standards and provides direction to members of the public who wish to memorialise a deceased person by immersing their cremated remains in flowing water. The Code also provides details on two locations in the ACT where this practice can be undertaken.

In 2018 an inquiry<sup>1</sup> engaged with the community on a review of the Act. This engagement found that in relation to burial or cremation, one in ten people in the ACT with a cultural or religious belief, were not having their needs met by the existing services provided.

One of these unmet needs is an ACT Government approved location for members of the community to immerse ashes.

A Hindu tradition is to immerse ashes into flowing water which eventually reaches the ocean. Those members of the community who practice this in the ACT understand the Murray-Darling basin system and the unlikelihood of their ashes reaching the ocean.

The practice, or ceremony is the final farewell after the cremation and funeral service. The only items dispersed are the ashes and loose flowers. Ideally, the practice occurs the day after the cremation, it is a private affair following what is generally a public funeral. The final ceremony is generally only attended by a priest and close family members of the deceased.

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<sup>1</sup> Standing Committee on Environment and Transport and City Services (TCCS) Inquiry