

Cemeteries and Crematoria Program Newsletter

December 2008

Introduction

Welcome to the November 2008 edition of the Cemeteries and Crematoria Program (the program) Newsletter. This edition provides important information on the cemetery sector restructure, the updated code of practice, monumental mason permit fees and reminders about the program's current requirements and activities.

WHAT'S NEW!

Cemetery Sector Restructure

What is it?

The Government has announced a number of changes to the 14 major metropolitan and regional cemetery trusts that report to Parliament under the Financial Management Act 1994.

All trust members should have received a copy of a letter from the Minister explaining the changes to the sector. Essentially the changes will affect the 14 trusts that report under the Financial Management Act 1994. *(If you or one of your trust members has not received your letter from the Minister please contact the program to ensure your contact details are up to date).*

The government has announced that the ten reporting trusts in the metropolitan area (namely Fawkner Crematorium and Memorial Park, Altona Memorial Park, Keilor Cemetery Trust, Preston Cemetery Trust, Wyndham Cemeteries Trust, Anderson's Creek Cemetery Trust, Lilydale Cemetery Trust, Templestowe Cemetery Trust, Cheltenham and Regional Cemeteries Trust and the Necropolis) will be merged to create two new trusts. These new changes will strengthen the regulatory environment for the large trusts that report to Parliament. The changes will also ensure that the major trusts in metropolitan Melbourne and regional Victoria will have the same governance framework and statutory roles and responsibility.

The Ballarat General Cemeteries Trust, Bendigo Cemeteries Trust, Geelong Cemeteries Trust and Mildura Cemetery Trust will also experience some change. The conversion and professionalisation of these four trusts will establish opportunities for leadership and business advice to volunteers on the small to medium regional trusts. These trusts will be able to benefit through improved access to support from the larger trusts in their area on a range of matters including governance, operational issues and business advice.

The first metropolitan advisory committee meeting was held on 26 November 2008 to discuss and identify key issues about the implementation of the amalgamation of the 10 metropolitan cemetery trusts. Vicki Pridmore has been appointed as chairperson of this committee. The rural and regional advisory committee will have their first meeting in February 2009.

PLEASE NOTE: No other cemetery trusts in metropolitan Melbourne or rural and regional Victoria will be affected by these changes. These trusts will retain their independence and will continue to be governed by volunteers.

How long will it take to implement the changes?

It is proposed to introduce the revised legislation to Parliament in 2009 and finalise the restructure by 1 January 2010.

Over time, these trusts should benefit by being able to access increased advice and support from the new metropolitan and enhanced regional trusts. Changes to the *Cemeteries and Crematoria Act 2003* are needed to implement some of the announced changes and to strengthen the governance framework and roles and responsibilities of the large trusts affected.

Amendment to Cemeteries and Crematoria Regulations 2005

On 1 December 2008 the *Relationships Act 2008* (the Act) will come into effect. This new Act establishes a Relationships Register, and will allow persons in a domestic relationship to register their relationship on the Relationships Register.

The Cemeteries and Crematoria Regulations 2005 (the Regulations) are being amended in accordance with the new Act. The Regulations currently contain a definition of "domestic partner" which will be expanded to include a relationship registered under the Act. This will mean that for the purposes of demonstrating a domestic partnership under the Regulations, partners may provide evidence of registration in the Relationships Register as conclusive proof of the domestic partnership.

No action is required on the part of the cemetery trusts. Trusts should simply be aware that a certificate of registration under the Act must now also be accepted as proof of a domestic partnership, and in lieu of any matters which partners would ordinarily be required to demonstrate in order to establish the existence of a domestic partnership.

Code of Practice

The "Code of practice relating to the sale and supply of memorialisation products and services by cemetery trusts and other alternative suppliers in Victorian public cemeteries" (the Code) has recently been reviewed and updated and is available for download from the Cemeteries website or by calling the program.

Why is there a code of practice?

Section 112 of the *Cemeteries and Crematoria Act 2003* provides for cemetery trusts to sell and supply memorials. Any cemetery trust that engages in these activities must ensure that they are informed about and comply with the principles of competitive neutrality.

To assist cemetery trusts to meet these obligations, the department and the sector developed a code of practice for the sale and supply of memorials. Adoption and implementation of the code is mandatory for all trusts that sell and supply memorials. The code of practice is available from the program website at www.health.vic.gov.au/cemeteries.

REMINDERS

Memorial (Mason) Permit Fees

As you are aware, the Program has been working with the CCAV and public cemetery trusts to promote industry consistency in the charging of memorial permit fees. In August of this year, trusts were given the option of doing one of the following:

- To adopt the memorial permit fees recommended by the Department of Human Services (the Department) and the CCAV; *OR*
- To determine their own memorial permit fees using the *excel memorial permit fee model*.

Since August, 125 trusts have either adopted the memorial permit fees recommended by the Department or determined their own memorial permit fees using the *excel memorial permit fee model*.

If you have not yet done so, please submit your trust's memorial permit fee schedule to the program as soon as possible.

Further information can be obtained from the Cemeteries and Crematoria website or by calling the program.

Maintenance Grants

During 2006/2007 small to medium cemetery trusts received over \$300,000 in funding as part of the Department's maintenance grant program. Most of the grants were provided to trusts with little maintenance money and will be used for essential items such as equipment, general upkeep, facility renovations, fencing and tree and weed control.

Maintenance grant applications for round 2 of the 2007/2008 financial year are due to the program by the end of March 2009.

Abstract of Accounts

Under Section 52(3) of *Cemeteries and Crematoria Act 2003* a cemetery trust **must** submit an Abstract of Accounts for each financial year to the Secretary of the Department of Human Services on or before **1 September** in the following financial year.

The department requires those trusts with reserves (income and investments) in excess of \$25,000 to submit an audited statement of their accounts and bank statements.

The audit must be completed by a qualified, practicing accountant or company auditor and submitted as a separate report together with the bank and investment statements.

If you have not already done so, please submit your trust's Abstract of Accounts as soon as possible.

Fee Applications

The 'Fee Application Form' is available for download from the Cemeteries and Crematoria website. Alternatively you can call the program and request a form be sent to you. The form must be signed by three trust members.

PLEASE NOTE: All applications for new fees or fee increases above CPI must be accompanied by a written justification outlining why the new fee or fee increase is necessary. **A complete break down of the cost elements that contribute to the fee amount must also be provided.**

Trust Membership information - Let us know!

The chair of the trust should ensure that the department is notified about any changes to trust membership. If trust members have retired, changed their contact details or died please ensure that the program area is advised in writing as soon as possible. The program should also be notified when a new secretary or chairperson is appointed.

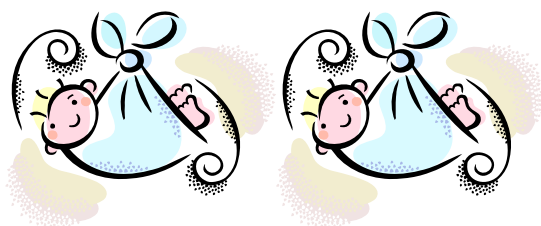
Trust Member reappointments

A reminder will be sent by the program advising that their trust appointment is about to expire. This notification is sent out approximately eight months before the trust members appointment expires. It takes approximately four months to process an appointment application once it has been registered by the program area. Existing trust members that elect to serve another term must reapply to the department for reappointment to the trust. To be reappointed trust members must complete a current application form (available from the departmental website) and return it to the cemeteries and crematoria program.

PLEASE NOTE: Make sure application forms are **signed** by both the applicant and the current chairperson of the trust. You can download the application form for appointment to a cemetery trust from the Cemeteries and Crematoria website, or call the program and request a form be sent to you.

News from the Program

Congratulations to our Project Officer Jessica Marshall on the birth of her healthy baby boy on the 14th August. Pauline Vetuna is backfilling Jessica's position while Jessica is on maternity leave for 12 months. Congratulations also to our Senior Project Officer Anne-Marie Greenfield who welcomed her firstborn son into the world on August 29th. We wish both of these ladies (and their little ones) well.



Contact Information – Cemeteries & Crematoria Program

Name	Title	Contact Number
Carol Buttigieg	Acting Manager	9096 0358
Fiona Pitman (Mon/Tue/Thur)	Project Officer (Fee Applications, Grants, Appointments)	9096 0357
Pauline Vetuna (Wed/Thur/Fri)	Project Officer (Appointments, Fee Applications)	9096 0357
Rhiannon Hui	Project Officer (Exhumations, Repatriations, Advertising, Grants)	9096 5160
Grace Bastien	Project Officer (Appointments, Exhumations, Repatriations)	9096 5159

General Information

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