

## **Authorisation under regulation 12(b) of the Cremation Regulations 1973 to authorise Medical Referees to permit cremations to be carried out without complying with Regulation 7**

1. Pursuant to regulation 12(b) of the Cremation Regulations 1973 (the Regulations), I, Dr Shane Reti, Minister of Health, for the reason of there being a shortage in the medical workforce servicing aged residential care settings, authorise Medical Referees to permit cremations to be carried out without complying with the requirement in regulation 7(1) for a medical practitioner or nurse practitioner to complete form AB or to see and identify the body after death for the purpose of completing form B in situations when:
  - a) the death is not unexpected; and
  - b) the medical history and current conditions of the deceased are known by a medical or nurse practitioner undertaking their role in accordance with section 46B(2) or 46B(3) of the Burial and Cremation Act 1964 (the Act); and
  - c) the deceased had been a resident in one of the following settings prior to their death, where a registered nurse is available on site:
    - Residential care facilities,
    - Rest homes,
    - Other long term-in-patient facilities.
2. This authorisation is subject to the following conditions:
  - a) the Medical Referee must receive advice from a trusted source who has seen the body and has a reasonable level of assurance of the cause of death; and
  - b) the Medical Referee must record the identity, contact details and occupation of the trusted source; and
  - c) the trusted source must verify:
    - I. The identify of the deceased; and
    - II. That the deceased died of natural causes; and
  - d) the Cremation Authority must confirm whether there is a biomechanical aid in the body.
3. For the avoidance of doubt, this authorisation does not exempt a medical practitioner or nurse practitioner from their performing their obligations under section 46B of the Act.
4. The authorisation comes into force on 20 December 2024 and will expire on 31 December 2025.

Dated at Wellington this 27th day of November 2024

Hon Dr Shane Reti  
Minister of Health