

[EXTRACT FROM THE CEMETERIES ACT 1986]

Division 3 – Licencing of funeral directors

16. Licences

A funeral director's licence-

- (a) is valid for the conduct of funerals at the cemetery or cemeteries specified in the licence;
- (b) is valid for such period not exceeding one year from the day on which the licence is issued as the Board determines, unless the licence is sooner suspended or cancelled; and
- (c) is not transferable.

17. Applications for licences

1. An application for a funeral director's licence in respect of a cemetery shall be made to the Board responsible for the care, control and management of the cemetery in the manner required by the Board and shall be lodged with the Shire together with the appropriate fee.
2. An applicant who satisfies the Board that the applicant –
 - a. Is of good repute and is fit to hold a funeral director's licence; and
 - b. Has suitable facilities and equipment for handling and storing dead bodies and conducting funerals, shall be entitled to be issued with a funeral director's licence.
3. The Board, or a person authorised by resolution of Board for the purpose, may at any reasonable time inspect the facilities and equipment of an applicant for or the holder of a funeral director's licence and the applicant or holder shall take all reasonable steps to facilitate an inspection authorised by this subsection.

18. Suspension and cancellation of licences

1. The Board may, by notice in writing delivered to the holder of the licence, cancel or suspend the licence if
 - a. The licence was issued erroneously or in consequence of a false or fraudulent document, statement or representation;
 - b. The fee for the licence is due and unpaid;
 - c. The holder of the licence is convicted of an offence against the Act or any local law or by-law under this Act; or
 - d. The Board is no longer satisfied in relation to the holder of the licence with respect to the matters referred to in section 17 (2).
2. If a licence is cancelled or suspended under this section, the person to whom the licence was issued shall deliver the licence to the Board within such a period as may be specified in the notice referred to in subsection (1).

19. Appeals against decisions of The Board

1. Where the Board-
 - a. Refuses an application for a licence; or
 - b. Cancels or suspends a licence,the Board shall notify in writing the applicant or the person to whom the licence was issued of its decision and the reasons for the decision.
2. An aggrieved applicant or person whose licence has been cancelled or suspended may apply to the State Administrative Tribunal for a review of the decision of the Board.