

Understanding Category 3 licence conditions

Which cemetery and crematoria operators will be licenced with Category 3 conditions?

Small and/or low risk cemetery and crematorium operators will be licenced with Category 3 conditions, with minimal licensing requirements. Generally, this will include operators who conduct fewer than 50 interments per year. See our fact sheet on [licensing and categorisation](#) for more detail.

An operator who has **only** inactive cemeteries and who does not wish to undertake any further interments, may apply for a Category 4 caretaker licence. This would further minimise the applicable conditions, but prohibit future interments.

Note: an inactive cemetery is one which is at capacity or at which no further interments are intended to be carried out.

What do Category 3 licence conditions mean?

Please note this is a summary of the proposed Scheme and licence conditions. For more details read the [Licence Conditions for Operators of Cemeteries and Crematoria](#).

As a licensed Category 3 operator, in addition to the current requirements (to complete an activity report, update contact information for the cemeteries and crematoria register each year, and comply with the interment rights system record keeping), you will need to:

- apply for a licence renewal after 5 years
- pay a licensing fee at commencement of the Scheme and again on each renewal (note that this fee may be waived or reduced)
- comply with the conditions of your licence, which will involve:
 - maintaining your cemetery to minimum standards for public access and safety (condition B.1)
- If you are still selling interments, you must also:
 - include standard terms and conditions in contracts for the sale of interment rights (conditions A.1 and A.2)
 - abide by customer service standards outlined in the Scheme, including behaving professionally and ethically and maintaining a register of complaints (conditions D.1–D.6)
 - comply with the religious and cultural principles, and Aboriginal cultural and spiritual principles (conditions E.1 and E.2).

Category 3 licence conditions are the least onerous of the 3 categories for active cemeteries. Under Category 3, operators are exempt from the majority of maintenance requirements, pricing transparency and some of the standard terms and conditions.

How will CCNSW support operators?

CCNSW recognises that transitioning to the Scheme may present challenges for small operators and so will be available to provide support and guidance.

Smaller operators will be required to obtain a licence towards the end of the 12 month transition period, to give them more time to work towards meeting requirements.

CCNSW will assist small operators to comply with these new requirements in various ways including:

- preparing a model contract that operators can choose to adopt, or adapt, if they wish
- preparing a standard customer service charter and complaints register
- detailing expected levels of compliance in guidance and explanatory material in relation to each set of licence conditions, which will be released as the Scheme commences
- a dedicated contact at CCNSW to provide ongoing, personalised support

Licence conditions will be introduced in a staged way after the commencement of the Scheme, to give operators time to understand and work towards meeting each set of requirements.