



OFFICE OF **FAIR TRADING**

*NSW Consumer Protection Agency*

Department of Commerce

# A consumer guide to funerals

*FT271*

*November 2004*



[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

## Acknowledgments

A number of organisations provided valuable input into the development and finalisation of *A consumer guide to funerals*.

The Office of Fair Trading would particularly like to acknowledge the contribution of the following people and organisations:

Australian Consumers' Association  
David Mernagh, Australian Funeral Directors Association  
Australian Quarantine and Inspection Service  
Mary Reid, Cemeteries and Crematoria Association  
Les Elkins, Combined Pensioners and Superannuants Association of NSW  
Agnes Chong, Consumer Credit Legal Centre  
Funeral Industry Council  
Santo Cannata, Neil Shaw, Malynda Flarey, NSW Health Department  
The Law Society of NSW  
Trudy Coffey, Liverpool Hospital  
The Prince Henry and Prince of Wales Hospitals  
Seniors Information Service  
Department of Environment and Heritage  
Jane Turnbull, Wollongong City Council

## Additional copies

This publication can be viewed or printed from the Publications page of our website at: **[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)**

Copies of this publication can be requested by calling 13 32 20.

To order quantities of more than five, fax a written request with your street address to Fax: 9619 8618 or post to:

Office of Fair Trading  
Marketing Branch  
PO Box 972  
Parramatta NSW 2124

## Disclaimer

This publication is a plain language guide to your rights and responsibilities. It must not be relied on as legal advice. For more information please refer to the appropriate legislation or seek independent legal advice.

ISBN 0 7347 6088 9

© Office of Fair Trading

Last revised November 2004

# C

## ontents

1. Introduction .....	2
2. Arranging your own funeral .....	3
3. Arranging a funeral for someone else .....	6
4. Who makes the arrangements? .....	8
5. What would they have wanted? .....	8
6. Finding a funeral director .....	9
7. What do funeral directors do? .....	10
8. Pre-payments .....	12
9. Financial decisions .....	14
10. Quotes and costs .....	15
11. Paying for the funeral .....	17
12. Burial plots .....	18
13. Coffins and caskets .....	19
14. Cremated remains .....	20
15. Away from Australia .....	20
16. Burial at sea .....	21
17. What if things go wrong? .....	22
18. Contacts .....	24

# Introduction

For most of us, arranging a funeral is a duty we will rarely be called on to perform. If a death was anticipated, we might be prepared. If not, we may be forced to grapple with processes only previously experienced as an onlooker. Whatever the case, it is a difficult time – making dozens of decisions usually at a time of sadness and strained emotions. However, knowing what to do and what to expect when someone close to us dies, can help make such a traumatic event, less so.

This guide looks at the funeral process, as we know it in NSW. It should help you make decisions on what you could do to farewell your loved one. While it is not intended to be an all-encompassing manual on arranging a funeral, the guide looks at selecting a funeral director and outlines what a funeral can involve and some possible costs. The booklet also contains a number of useful contacts including some relating to coping with grief, dealing with probate and obtaining financial advice.

One of the main things to keep in mind when organising a funeral is not to commit yourself to arrangements that you cannot afford – would your loved one really want you to end up in financial difficulties because of his or her funeral? You should also try to get any quotes and the details of the final arrangements in writing if possible. This will make things easier should any issues arise concerning the provision of the selected funeral.

The guide is also intended to be of assistance if you are wanting to relieve your loved ones of the task of making decisions about, or paying for, your funeral arrangements but are not sure where to start or what to consider.

We plan ahead for many things in life such as our retirement and possible eventualities in life such as ill-health by taking out private health insurance or income protection policies. Making decisions about, or pre-paying for, our own funeral is just another area of life that we can choose to plan for, to relieve our loved ones of what can be an emotional and financial burden when the time comes. This does not have to be a depressing or unpleasant experience. You can simply look at it as a sensible and practical thing to do, just like making a will. It also gives you time to shop around for a competitive price and find a funeral director that you are happy to have carry out the service.

At the front of this Guide is a list of issues to consider if you are thinking about making arrangements for your own funeral as well as a list for organising a funeral for another person.

## Arranging your own funeral

### Some things to consider when making arrangements for your own funeral:

- Do you wish to donate your organs and tissues when you die? If so, have you let your loved ones know your wishes and either indicated your intention on your driver's licence or registered with the Australian Organ Donor Register?
- Do you want to be cremated? If so, how do you want your cremated remains stored or distributed ie. at a memorial site at the local cemetery, in an urn with a family member or loved ones or scattered at a favourite place?
- Do you want to be buried? If so, is there a particular cemetery that you would like to be buried in such as where another family member or loved one is buried?

- How do you intend to pay for the funeral ie. do you want it to be paid from your estate or by a family member or do you wish to enter into a pre-paid funeral contract?
- Do you want to make arrangements for a pre-paid funeral fund? If so, have you found out what your rights and obligations are if you change your mind, move to a different area or state or if the funeral director business changes hands? Have you checked whether any aspects of the funeral arrangements will need to be paid for after your death?
- Do you have any sickness and accident, superannuation, life or private health insurance policies, which may make a payment available towards a funeral?
- Are you a returned service person or do you belong to any club, pensioner association or trade union, which may entitle you to a funeral benefit?
- Did you know that if you are receiving a pension or carer's payment from Centrelink, your estate may be eligible for a lump sum bereavement payment that may be enough to cover some funeral expenses?
- Do you wish to take out a funeral bond? If so, are you aware that once invested, this money may only be accessed on your death, even if you are having financial difficulties? Are you aware that it might not be enough to cover all your funeral expenses unless it is issued in conjunction with a fixed price funeral service?
- Do you wish to take out funeral insurance? If so, are you aware that you may jeopardise any benefit payable if you miss one or more payments and that the payments may go up each year due to inflation or your age?

- Do you wish to save for your own funeral? If so, have you checked with your bank to see if your family can access your bank account to pay for the funeral on supply of the death certificate or funeral director's invoice?
- Have you sought your own legal or financial advice on what pre-paid options might best suit your circumstances, such as those that are considered exempt assets for the purpose of calculating the pension?
- Did you know that if there is no money in the estate and no friends or relatives are willing or able to fund the funeral, the NSW State Government has arrangements with particular funeral directors to conduct and pay for a basic burial or cremation?
- Do you want to select a funeral director in advance? If so, has a friend or relative used anyone in the past that they highly recommend? Have you spoken to your local funeral director, looked in the Yellow Pages or contacted one of the industry associations to find out the location of the nearest member to you? Do you want to contact several funeral directors to compare prices?
- Have you documented any preferences or arrangements you have made for your funeral and let your family or loved ones know what you have done? Have you thought about making, or updating, a will to include these preferences or arrangements? Are all your personal documents such as a will, pre-paid funeral plan, insurance policies and superannuation papers together in one place so they can be easily located?

## Arranging a funeral for someone else

### Some things to consider when organising a funeral for another person:

- Do you know if there is a will as it may contain directions for funeral arrangements? If so, do you know where the will might be located? If you are not sure, have you checked through their personal papers at home, with the next of kin, loved ones, any law firms they may have had dealings with, the Public Trustee, trustee corporations operating in NSW or the Registry of Births, Deaths and Marriages to see if a will exists?
- Did they have a pre-paid funeral or other arrangement with a funeral director in their current or previous area? If you are not sure, have you looked through their personal papers, checked with next of kin or loved ones or contacted the local funeral director?
- Do you know what type of funeral they would have wanted ie. burial or cremation in the same cemetery as their spouse or parents, to use a particular funeral director or to have a particular aspect of their culture or faith observed?
- If no arrangement exists with a funeral director or if they did not indicate a desire to use a particular funeral director, have you contacted a number of funeral directors to compare prices or to obtain an itemised quote for carrying out the funeral arrangements?
- Did they have some other type of pre-paid funeral arrangement such as a grave plot at the local cemetery or the cemetery where their spouse or parents are buried? If you are not sure, have you contacted the cemetery concerned?
- Have you checked with the funeral director about the terms of payment for the funeral ie. is there a discount for payment within a certain period or can the bill be paid in instalments?
- Have any financial arrangements been made in advance to pay for the funeral such as a funeral bond or funeral insurance? If so, have you contacted the company concerned to find out how the benefit will be paid out ie. to a funeral director or the estate and how long it will take?
- Is there enough money in their bank account to pay for the funeral? If so, will the bank allow that money to be accessed if the death certificate or funeral director's invoice is supplied?
- Are there any sickness and accident, life, superannuation or private health insurance policies, which may make a payment available towards a funeral?
- Were they a returned service person or belong to any club, pensioner association or trade union, which may entitle them to a funeral benefit?
- Were they receiving a pension or carer's payment? If so, have you contacted Centrelink for information about a lump sum bereavement payment that may be available?
- Did you know that if there is no money in the estate and no friends or relatives are willing or able to fund the funeral, the NSW State Government has arrangements with particular funeral directors to conduct and pay for a basic burial or cremation?

## Who makes the arrangements?

The person who has the legal authority to make the funeral arrangements is the Executor – the person named in the will to administer the estate. However, the responsibility can pass by mutual agreement to a family member or close friend. If there is no will, there will be no executor so family members (or friends if there is no family) will usually take responsibility for organising the funeral as it may take some time before the Court appoints an administrator.

There are four major questions you will need to find answers for:

- What type of funeral is appropriate?
- What funeral director will you use?
- How much will the funeral cost?
- By whom and from what resources will the cost be paid?

It is very important for the person making the arrangements to understand that they will be financially responsible for the funeral and will also be the only person with the authority to make arrangements with the crematorium or cemetery including signing all burial and cremation permits. There is more information on options for handling this responsibility under Financial decisions later in this booklet.

## What would they have wanted?

During their life, the deceased may have spoken about a funeral. In this case, you or someone close to them, may know his or her preferences – such as being buried in the same cemetery as their spouse or parents or using a particular funeral director.

The deceased may have belonged to a particular faith. Contact with religious leaders may be an important first step to make sure the funeral is carried out in the proper manner.

If they passed away unexpectedly, you may have to rely on contacting other family members, close friends or locating the Will or other personal papers that might indicate what they would have wanted. A very important point to check is whether they belonged to any form of funeral fund or other pre-payment plan. If this is the case, his or her preferences will quickly become clear.

If you think there is a Will, it is better to find it sooner rather than later. It will not only clarify the name of the Executor but it might also prevent the distress of your arranging a cremation only to discover later that they were hoping for burial. If you are informed beforehand that they left written directions that they were not to be cremated, it is an offence against the Public Health (Disposal of Bodies) Regulation 2002 to go ahead with cremation.

During their life, they may also have indicated their wishes about organ and tissue donation. If not, authorised medical personnel may be able to access information about the deceased's wishes from the Australian Organ Donor Register and provide it to the family. If you are still unaware of his or her wishes on organ donation, this does not prevent you from making the decision to donate on their behalf (if you meet the next-of-kin requirements). However, if the issue has been discussed and you know what their wishes are, it will certainly ease the emotional burden of making a difficult decision.

## Finding a funeral director

If the deceased left instructions to use a particular funeral director, your next moves are fairly straightforward. If they had pre-paid for part or all of a funeral, your task might be simpler still. But if no preferences were recorded anywhere, you will need to select one.

If they passed away in a nursing home or hospital, you may find that one or more funeral directors may hear of the death and approach you directly to offer their services. That's fine, but don't forget there may be other firms that can help you too. You should ensure that the funeral director you select has the expertise and facilities to carry out the arrangements. The nursing home may be able to recommend a funeral director in the area. Friends and relatives can be a good source of advice. You can also find funeral directors in the Yellow Pages.

You may also want to consider using a funeral director that belongs to an industry association. These associations usually require their members to adhere to a code of ethics and also provide a system for reporting complaints about members if a problem arises with any aspect of the funeral arrangements. You can find details of the various funeral associations in the Contacts section of this booklet.

## What do funeral directors do?

Before selecting a funeral director, you should try to understand exactly what it is they do. They are largely your agents – seeing to practical details that most people would find difficult to arrange. Here are the main services offered by funeral directors.

- Registering the death after the issue of the Medical Certificate of Cause of Death (including a Cremation Certificate if required).
- Transferring the body from the place of death to the funeral director's premises – doing so in accordance with strict health rules concerning handling, transport and storage.
- Meeting you at your home or in their office to discuss

your preferences and options. Depending on what you decide, a meeting like this may be less than 30 minutes or up to two or three hours.

- Coordinating between your clergy (or a funeral celebrant if you wish) and the cemetery or crematorium to decide when, where, and what type of service will be needed. In most cases cemeteries and crematoriums will not deal directly with anyone other than a funeral director.
- Preparing and placing death, funeral and obituary notices in newspapers of your choice and organising flowers.
- Preparing the body for burial or cremation.
- Supplying a coffin or a casket.
- Providing a place for a viewing of the body by friends and relatives if required.
- Transporting the body by hearse to the ceremony and then to the cemetery or crematorium.
- Providing special cars for mourners.
- Paying fees for such things as the cemetery, crematorium and flowers -on your behalf.
- Advising and helping you with paperwork involved in accessing any financial benefits associated with the funeral that might be available.

## Pre-payments

Some people decide to make pre-payments towards the cost of their funeral. They may have told you about this or you may discover their membership when going through their papers.

There are several different types of pre-paid funeral arrangements. The Office of Fair Trading regulates the first two.

---

**Contributory funds** Small regular payments go towards part or all of a funeral service with a particular funeral director or provide a cash benefit to be used towards the cost of the service.

**Pre-paid funeral funds** This involves selecting a funeral director, making decisions about the type of funeral that you would like and then paying for that funeral at today's prices, usually in one lump sum or several large instalments. The money is then forwarded to a funeral fund registered with the Office of Fair Trading and is considered an exempt asset for the purpose of calculating the pension. Alternatively, the Office of Fair Trading may be contacted on 1800 502 042 for a list of registered funds, who can then advise which funeral directors in the local area are affiliated with a fund.

**Funeral insurance** This is usually purchased directly from an insurer. It involves small regular contributions and a specified cash payment on death. However, like most forms of insurance, the money paid in over the years cannot be refunded if a consumer cancels the insurance. Age and health restrictions may apply when taking out a policy. The

premiums may also increase over the years to keep up with inflation or other factors.

## Funeral bonds

A form of investment that allows a consumer to set aside their own money for a funeral, which is held as a bond and paid when the funeral is required. It cannot be withdrawn early. The bond is usually capital guaranteed with a low return, and is income and assets test exempt up to the \$5,000 threshold. A funeral bond can be in the consumer's own name, in joint names (with the benefit paid in full upon the death of the first joint owner) or can be assigned to a funeral director.

## Pre-paid products

Pre-payment for the right to use a grave plot, a wall niche or a place in a memorial garden. Typically purchased directly from a cemetery and may suit people who do not wish to pay for the full delivery of their funeral in advance but want to secure the place where they will be interred.

---

In most of these cases, the extent of the benefit will depend on how much they were paying and for how many years. Some arrangements may also involve the use of a nominated funeral director.

Over the past decade or so the cost of burial plots in certain cemeteries and some cremation services have risen steeply and unpredictably. Some firms offering pre-paid schemes have countered this instability by limiting their schemes to only those aspects of the funeral that they have more control over (such as their personal services and the coffin) while omitting other parts of the funeral related to the actual burial or cremation.

You must read the paperwork very carefully. Even if it first appears that all the arrangements have been paid for ahead of time, you need to clarify what is actually included and what is not included.

If you are thinking about entering into a pre-paid arrangement for yourself, you should keep in mind that it can involve the outlay of a large sum of money. You should make sure you understand what your rights and obligations will be under the arrangement and whether it will cover some or all of your funeral costs.

## Financial decisions

You're going to need to make some firm decisions about costs. Earlier we explained some of the normal things that a funeral director can do. It is very important to understand that you will be billed for each and every service you use – just like any business. There are many variables too, such as the type of coffin or casket, the number of cars, the type of flowers, which cemetery, the type of memorial and so on.

At a time of grieving, it can be painful to bring up the subject of money. Funeral directors are not all the same. Their services and fees are as varied as any other business and the reality is that funerals can be expensive for some people. You may feel uncomfortable 'shopping around' for the best price, but it's the sensible thing to do. When doing so, it is important to obtain prices for exactly the same items so you can get an accurate comparison of costs. You may find it less stressful if you compare prices by telephone. If any firm is reluctant to provide their prices this way it may be a sign you should look elsewhere.

It's not our position to tell you how much you should spend. However, it's common for some people to feel a need to 'overspend' out of a sense of duty and honour to their loved one and to even commit themselves to payments that their financial commitments do not warrant. But ask yourself this question. Would your loved one really want you to end up in financial difficulties because of their funeral?

Before you make a final decision about the funeral director to be used and the type of services you would like, it is a good idea to get an itemised quote. This will allow you to not only compare prices but to see which services you may or may not require.

## Quotes and costs

Quotations from funeral directors are often presented in three parts:

1. professional fees
2. coffin or casket
3. disbursements.

Professional fees cover the things the funeral director will do using their own resources. Generally it would involve collecting, transporting, and preparing the body, providing chapel or viewing facilities as well as staff, a hearse and mourners' cars. It would also include the 'organising' things they can do on your behalf, such as speaking with clergy, organising the cemetery or crematorium, arranging for medical or death certificates and arranging flowers and obituaries. The fees will vary according to which funeral director you use and the level of service you choose. Remember that you will be charged for each and every service you agree to use.

Coffins tend to be slightly less expensive than caskets. They follow the traditional body shape - tapered at each end. A simple veneered particleboard coffin can be a cost-effective option. Caskets are generally more costly. They are rectangular and often come with a hinged lid for viewing. Costs will also rise with the selection of more elaborate fittings, linings, varnishes, solid timber and casket styling.

Disbursements are not the same as fees. Disbursements are the actual costs that the funeral director incurs on your behalf. You must pay these costs back to the funeral director. For instance, the funeral director may charge you a fee for arranging the cemetery plot. But the cemetery fee in the disbursements is the actual cost of the cemetery plot. Disbursements will also vary depending on whether it is a basic or common type of funeral.

You can divide the disbursements into two categories - the essentials and the additional items. The essentials would include a death certificate and either the cost of a cremation or the cost of a cemetery plot. Additional items may typically include such things as clergy, church, organist or celebrant fees, flowers, an urn or container for cremated remains, death, funeral and obituary notices, extra mourners' cars, memorial book and a memorial such as a plaque or headstone.

So many variations in costs, services and options make it very difficult to suggest the cost of an average funeral. However, a 'basic' burial or cremation means just that - nothing other than the barest essentials. A 'common' burial or cremation assumes chapel facilities, a mid-range coffin, a celebrant, flowers and a basic grave marker or niche in a modest cemetery or remembrance garden. For burials, costs really begin to escalate when more elaborate interments such as concrete lined graves, crypts and vaults are involved.

Costs can be quite significant, making it all the more important to compare prices and get itemised quotes before you make a commitment. Once you do have some quotes you can go through the various items to decide which ones you need and which ones you might like to let go, if any.

## Paying for the funeral

Before you sign any agreement with the funeral director you need to be clear about how the funeral is going to be paid for. Funeral directors will be aware of many different sources of funding so discussing some of the following issues may be helpful.

- Do you want the expenses to come from his or her estate? If so the funeral director must be paid before any inheritance is distributed.
- Did they belong to some pre-paid benefit or investment scheme and how much of the costs will it cover?
- Will you need to make up any shortfall?
- Will you need to pay by instalments?
- Will you be able to access their bank account? Banks will usually release some funds for a funeral with proper identification and proof such as a death certificate or a funeral director's invoice.
- Were they a returned service person? If so they may be entitled to a small funeral benefit from the Commonwealth Department of Veterans Affairs. They may also be eligible for an official war grave.
- Did they belong to a health fund that may provide a funeral benefit?
- Did they belong to a trade union, pensioner's association or other type of club that may entitle them to a funeral benefit?

- Were they receiving a pension or carer's payment? If so Centrelink may be able to make a bereavement payment that could go towards assisting with funeral costs.

Once again, remember that when you sign an agreement with a funeral director, you become liable for all the costs involved.

In some cases there is no money in the estate and no friends or relatives are willing or able to fund the funeral. If this happens, the NSW State Government has arrangements with particular funeral directors to conduct a basic burial or cremation. The funeral director involved is required to inform the relatives of the funeral and, if requested by friends or relatives, arrange for a viewing of the body. For information about this, you can contact the administration of the public hospital, health facility or nursing home where the person dies. Alternatively, if the person dies outside of a State health facility, you can contact the local police in the Sydney metropolitan area or public health unit in rural areas in the first instance.

## Burial plots

It's worth remembering that you cannot buy or own a cemetery plot or wall niche for cremated remains – you merely purchase a 'right of burial'. It does not become your property. Some cemeteries or crematoria also only pre-sell this 'right' for a limited period. Families should check with the cemetery or crematoria authority when purchasing the site for any time limitations on use. For spiritual and sentimental reasons, some people prefer to reserve burial plots that can accommodate more than one interment. This means another person can later be buried in the same space. Costs may be reduced in this way as well.

## Coffins and caskets

There are a few practical things you should know about coffins and caskets.

- Burials or cremations are not permitted without a sealed coffin or casket (except where some religious institutions have obtained exemptions).
- A family carpenter may wish to make the coffin – but it will have to comply with government regulations, the funeral director's handling and strength requirements and any crematory requirements such as coffin dimensions.
- Metal liners, metal inserts, PVC or latex-based rubber materials are not permitted in or on coffins or caskets used for cremation because unacceptable emissions or residues can result.
- Depending on the size of the funeral director's business, you will be able to choose the coffin or casket from floor stock or from a catalogue. You may notice that different funeral directors may ask higher or lower prices for exactly the same product.
- With burials, some people like to place religious or sentimental items inside the coffin or on its lid. In most cases this will not be a problem. However, problems can arise with items placed on top of the gravesite itself. For aesthetic or safety reasons the cemetery may not allow this. It is always wise to get advice from the funeral director or cemetery beforehand.
- There are also a number of items that cannot be placed inside coffins during cremation as these can cause explosions in the cremator. The Australian Cemeteries and Crematoria Association publish a document relating to contents of coffins.

## Cremated remains

If the deceased is cremated, the person who signs the cremation papers (usually the next of kin or a member of the family) is the only person who can provide written instructions on what should happen to the cremated remains. They can be collected and kept at home in a simple container or a more elaborate and expensive urn. Arrangements can also be made for the urn to be placed in a niche or memorial wall at the crematorium or memorial garden. Burial or scattering of the cremated remains might also be arranged.

Some people decide they would like the cremated remains scattered at one of the person's favourite spots. It is important to get permission before you do this. If it's private property, ask the owners. If it's a local park or a beach, check with the council. If it's a park, a state forest, a river or a lake, check with the responsible authority. Careful consideration should be given prior to scattering the cremated remains as this may prevent a meaningful memorial for loved ones to visit.

## Away from Australia

If a person dies overseas, you may wish to bring the body back to Australia for burial or cremation. However, transport and health restrictions apply. The Australian Quarantine and Inspection Service (AQIS) will need to be notified prior to importation. Overseas death certificates must be obtained and importation papers completed. For health reasons, the body will need to be embalmed overseas and returned to Australia in an outer coffin or crate suitably prepared for transportation. You may also need to check that the container meets any specific airline requirements prior to shipping of the body. Non-embalmed bodies will only be accepted in exceptional circumstances.

The situation is similar when transporting a body for burial or cremation overseas. Particular care must be taken with the documentation that must be lodged here and that which accompanies the body. The health regulations concerning the transport container will vary from country to country but are generally as strict as those required in bringing a body back to Australia.

It is possible to do some of the work yourself, but you shouldn't consider it without extensive planning. Given the time constraints usually involved, it is more common for these types of arrangements to be carried out by funeral directors liaising between Australia and the other country involved.

The transportation of cremated remains is generally the easiest and least expensive option. However, the container used to hold the ashes must be free from contaminants such as soil. If the container is made from wood, it must be also declared upon arrival so AQIS can inspect the container.

## Burial at sea

Although only a few people are buried at sea in Australian waters each year it may be worth knowing what is involved. Burials at sea require a permit from the Commonwealth Department of Environment and Heritage. Every application is considered on its merits. A \$1,000 fee is usually charged and a decision will take at least four days. If a permit is granted, a number of restrictions apply. These concern such things as the depth of the water (at least 2000m) and the distance of the burial site from shipping lanes and commercial fishing grounds. As well, the body must not be embalmed and should be placed in a canvas shroud, suitably weighted. Generally the location will be many kilometres offshore so you will almost certainly need to consult a local boat charter

operator and the vessel in question will have to meet strict conditions in relation to safety and navigation equipment.

## **What if things go wrong?**

As with all consumer transactions, the first thing to do if you have a dispute with a funeral director is to clearly explain your problem to them and to ask what they can do to rectify the matter. Disputes can be the result of misunderstanding so it is important to remain calm but firm.

You might also seek assistance from whichever industry association the funeral director belongs to – look for the name on any paperwork you have received. These associations usually have a system for reporting complaints about members.

If you exhaust these avenues you can contact the Office of Fair Trading. Our customer service officers may be able to clarify things or you may lodge a formal complaint if approaches to the funeral director have been unsuccessful.

The important thing to remember is to keep all your paperwork as well as records of everyone you speak to.

You may also decide to lodge a formal complaint directly with the CTTT (Consumer, Trader and Tenancy Tribunal). The CTTT can decide a wide range of consumer and commercial issues. A fee is involved, so too is a mandatory attempt at negotiating the issue before any decision is reached.

## Contacts

### Ageing, Disability & Home Care (Department of)

Obtain information on assistance for older people.  
Tel. 8270 2000  
[www.dadhc.nsw.gov.au](http://www.dadhc.nsw.gov.au)

### Australian Direct Marketing Association (ADMA)

Ask ADMA to help reduce direct marketing mail and phone calls directed at the deceased.  
Tel: 9368 0366  
[www.adma.com.au](http://www.adma.com.au)

### Australian Funeral Directors' Association

Locate a funeral director near you.  
Tel. 8536 8198 or  
1300 888 188  
[www.afda.org.au](http://www.afda.org.au)

### Australian Organ Donor Register

Register for or against organ and tissue donation.  
Tel. 1800 777 203  
[www.hic.gov.au/organ](http://www.hic.gov.au/organ)

### Australian Quarantine & Inspection Service (AQIS)

Obtain information on bringing a body into Australia  
Tel. 6272 3933  
[www.affa.gov.au](http://www.affa.gov.au)  
(AQIS is part of the Commonwealth Department of Agriculture, Fisheries and Forestry.)

### Australian War Graves

If the deceased was a returned service person, you can obtain information on their eligibility for an official commemorative plaque or grave.  
Tel. 1800 026 185 ask for War Graves or 6289 6544  
[www.dva.gov.au/commem/oawg/postwar.htm](http://www.dva.gov.au/commem/oawg/postwar.htm)

### Births, Deaths and Marriages (NSW Registry of)

Obtain information on the registration of deaths. Check to see if a will is registered.  
Tel. 1300 655 236  
[www.bdm.nsw.gov.au](http://www.bdm.nsw.gov.au)

### Centrelink

Ask for a bereavement payment or seek assistance for dependants with no immediate financial support after the death of a loved one.  
Tel. 13 27 17  
[www.centrelink.gov.au](http://www.centrelink.gov.au)

### Cemeteries and Crematoria Association of NSW

Access an index of member cemeteries and crematorium and information about the funeral process, including frequently asked questions.  
Tel. 9264 2000  
[www.ccansw.org.au](http://www.ccansw.org.au)

### Combined Pensioners and Superannuants Association of NSW

Obtain information for pensioners of all ages, superannuants and low-income retirees.  
Tel. 9281 3588 or  
1800 451 488  
[www.cpsa.org.au](http://www.cpsa.org.au)

### Community Legal Centre

Locate a community legal centre near you (if you cannot afford a solicitor).  
Tel. 9318 2355  
[www.nswclc.org.au](http://www.nswclc.org.au)  
(Community Legal Centres are independent, non-profit organisations that provide free legal information to assist you in understanding and protecting your legal rights.)

### Consumer, Trader & Tenancy Tribunal (CTTT)

Apply for resolution of a dispute with a funeral director.  
Tel. 1300 135 399  
[www.cttt.nsw.gov.au](http://www.cttt.nsw.gov.au)

### Environment and Heritage (Department of)

Apply for a permit to conduct a burial at sea.  
Tel. 6274 2128  
[www.deh.gov.au/coasts/pollution/dumping/pubs/burial.pdf](http://www.deh.gov.au/coasts/pollution/dumping/pubs/burial.pdf)

### Fair Trading (Office of)

For advice/assistance regarding a dispute with a funeral director. Tel. 13 32 20  
To find out whether a funeral fund is registered.  
Tel. 1800 502 042  
[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

### **Funeral Industry Council of NSW**

Oversees funeral industry matters in NSW.  
Ms D Chapman  
Secretariat  
Funeral Industry Council of NSW  
PO Box 523  
Cherrybrook NSW 2126  
Email: [ficnsw@bigpond.net.au](mailto:ficnsw@bigpond.net.au)

### **Financial Counsellors Association of NSW (FCAN)**

Use FCAN's Web site to find a local financial counsellor  
[www.acwa.asn.au/fcan/find.htm](http://www.acwa.asn.au/fcan/find.htm)  
All members of FCAN provide a free, private and confidential service to the community in the areas of financial counselling and credit.

### **Financial Industry Complaints Service**

Obtain free advice and assistance in resolving complaints relating to members of the financial services industry, including those offering life insurance, superannuation and financial or investment products.  
Tel. 1300 780 808  
[www.fics.asn.au](http://www.fics.asn.au)

### **Funeral Directors Association of New South Wales**

Locate an Australian owned and operated funeral firm near you.  
Tel. 9651 1444  
[www.funeralassocnsw.com.au](http://www.funeralassocnsw.com.au)

### **Health (NSW Department of)**

Obtain a list of medical referees who are able to sign cremation certificates and contact details of your local public health unit.  
Tel. 9391 9000  
Report a breach of the Public Health (Disposal of Bodies) Regulation 2002.  
Tel. 9382 8333  
Download relevant funeral information from the website including burial or cremation of a deceased person who has no money or assets.  
[www.health.nsw.gov.au](http://www.health.nsw.gov.au)  
([www.health.nsw.gov.au/fcsd/rmc/cib/circulars/2002/cir2002-17.pdf](http://www.health.nsw.gov.au/fcsd/rmc/cib/circulars/2002/cir2002-17.pdf))

### **Law Society of NSW**

Find a lawyer with experience in probate and estate administration.  
Tel. 9926 0333  
[www.lawsociety.com.au](http://www.lawsociety.com.au)

### **LawAccess NSW**

Find legal information and assistance services to help with your legal issues.  
Tel. 1300 888 529  
[www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au)

### **Legal Aid Commission (NSW)**

Obtain free legal advice and assistance (means tested).  
(02) 9219 5000  
[www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

### **Lifeline**

Access 24-hour telephone counselling and referrals for a wide range of issues including depression, grief and loss.  
Tel. 13 11 14.

### **National Association for Loss and Grief**

Obtain information on grief counselling services or support groups.  
Tel. 8230 1527  
[www.nalag.org.au](http://www.nalag.org.au)

### **NSW Government 'Life Events' website**

Obtain general information about death and bereavement.  
[www.nsw.gov.au/death.asp](http://www.nsw.gov.au/death.asp)

### **NSW Guardianship Tribunal**

Seek information about decisions on guardianships.  
Tel. 9555 8500 or  
1800 463 928  
[www.gt.nsw.gov.au](http://www.gt.nsw.gov.au)

### **Public Guardian (Office of the)**

Obtain information on powers of attorney and guardianship.  
Tel. 9265 1443 or  
1800 451 510  
[www.lawlink.nsw.gov.au/opg](http://www.lawlink.nsw.gov.au/opg)

### **Public Trustee of NSW**

Obtain information about whether a will has been made with the Public Trustee, having a will made free of charge or handing over an executor role.  
Tel. 9252 0523  
[www.pt.nsw.gov.au](http://www.pt.nsw.gov.au)

### **Seniors Information Service**

Obtain information on a broad range of information and services for seniors.  
Tel. 13 12 44  
[www.infoseniorsnsw.org.au](http://www.infoseniorsnsw.org.au)

**SIDS and Kids**

Access 24-hour telephone support following the sudden death of a child during pregnancy, birth or infancy.

Tel. 1800 651 186

[www.sidsandkids.org](http://www.sidsandkids.org)

**State Coroner (NSW Office of)**

Seek access to coronial information and support programs.

Tel. 8584 7777

[www.lawlink.nsw.gov.au/lc.nsf/pages/coroners1a](http://www.lawlink.nsw.gov.au/lc.nsf/pages/coroners1a)

**Trustee Corporations Association**

Locate a will drawn up by a current or former trustee corporation.

Tel. 9221 1983 or

1800 819 427

[www.trustcorp.org.au](http://www.trustcorp.org.au)

**Veterans Affairs**

Seek financial assistance for the funeral of a returned service person.

Tel. 13 32 54 or 9213 7777

[www.dva.gov.au](http://www.dva.gov.au)

**Victims Services**

Obtain free counselling, support and compensation (subject to conditions) if you are an immediate family member of a homicide victim.

Tel. 9374 3111 or

1800 633 063 or

9374 3000 (Victim Support line

-24 hour/7 days)

[www.lawlink.nsw.gov.au/vs](http://www.lawlink.nsw.gov.au/vs)



# phone 13 32 20

For help on any fair trading issue call your nearest Fair Trading Centre, or call the specialist service listed below which is relevant to your enquiry. A range of Fair Trading services are also available via Government Access Centres (GACs) and other agency locations throughout regional New South Wales. For details, visit the website [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

## Fair Trading Centre locations

Albury  
 Armidale  
 Bathurst  
 Blacktown  
 Broken Hill  
 Coffs Harbour  
 Dubbo  
 Gosford  
 Grafton  
 Hurstville  
 Lismore  
 Liverpool  
 Newcastle  
 Orange  
 Parramatta  
 Penrith  
 Port Macquarie  
 Queanbeyan  
 Sydney  
 Tamworth  
 Tweed Heads  
 Wagga Wagga  
 Wollongong

## Fair Trading Centres – call 13 32 20 for general enquiries

### Specialist services

Rental bond .....	9377 9000 ..1800 422 021	<i>(outside Sydney)</i>
Tenancy .....	9377 9100 ..1800 451 301	<i>(outside Sydney)</i>
.....	9377 9099	<i>(*TTY)</i>
Strata schemes .....	9338 7900 ..1800 451 431	<i>(outside Sydney)</i>
Aboriginal tenancy .....	9377 9200 ..1800 500 330	<i>(outside Sydney)</i>
REVS .....	9633 6333 ..1800 424 988	<i>(outside Sydney)</i>
.....	1300 369 889	<i>(*TTY)</i>
Business licences.....	9619 8722 ..1800 463 976	<i>(outside Sydney)</i>
Registry of Co-operatives and Associations .....	6333 1400 ..1800 502 042	<i>(outside Bathurst)</i>
Consumer, Trader and Tenancy Tribunal (CTTT) .....	1300 135 399	

TTY .....9338 4943 \* *Telephone service for the hearing impaired.*

### Language assistance

Tel. 13 14 50 *Ask for an interpreter in your language.*

Office of Fair Trading  
 1 Fitzwilliam Street Parramatta NSW 2150  
 PO Box 972 Parramatta NSW 2124  
 Tel. 9895 0111

[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)