
Cemeteries & Crematoria NSW
Department of Planning and Environment

www.cemeteries.nsw.gov.au



Guide to Licence Conditions C: Pricing Transparency

December 2023



Acknowledgement of Country

Cemeteries & Crematoria NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally, and economically.

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Guide to Licence Conditions C: Pricing Transparency

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Introduction

The Interment Industry Scheme

The Interment Industry Scheme was established under the Cemeteries and Crematoria Regulation 2022 (NSW). The scheme was developed in response to recommendations from two 2020 reviews:

- a statutory review of the *Cemeteries and Crematoria Act 2013* (NSW)
- the Independent Pricing and Regulatory Tribunal (IPART) review of interment costs and pricing in NSW.

Both reports recommended improving transparency of pricing through the use of itemised pricing templates to assist customers understand their interment options, and in turn increasing competition within the NSW interment sector.

Under the scheme's licensing framework, NSW cemetery and crematoria operators must hold a licence to perform interment services, including burials, cremations, ash interments and caretaker services.

There are 4 licence categories, each with different conditions that operators must meet. For more information on the application of licence categories see our [Cemetery Operator Licence Categorisation Policy](#). The Conditions will be reviewed by Cemeteries & Crematoria NSW (CCNSW) periodically.

This guide

The aim of this guide is to help operators understand how to meet licence conditions C.1 to C.3 which relate to pricing transparency. Operators should read this guide alongside the [licence conditions](#).

The guide introduces the conditions, provides information to assist operators in understanding the conditions, describes how to show compliance with the conditions and introduces related resources (the approved price breakdown templates, and the price breakdown tool).

Note on terms

In this guide, 'we' and 'our' refers to CCNSW. 'You' and 'your' refers to operators. The terms 'consumer' and 'customer' have the same meaning.

Introducing the conditions

This section gives essential contextual information including:

- the application of the Condition and principles
- the price breakdown templates
- relevance of other related legislation

Related support materials are introduced in the Additional Resources section.

Licensing conditions for pricing transparency

There are 3 licensing conditions relating to pricing transparency. These are known as conditions C:

- C.1 - Operator must make a price breakdown of the Basic Adult Burial, Basic Ash Interment and/or Basic Cremation publicly available
- C.2 - Operator must publish prices for all of their available interment services on their website or at their place of business if they do not maintain a website
- C.3 - Operator must not enter a Consumer Contract unless the Customer has been provided details of a Basic Adult Burial, Basic Ash Interment or Basic Cremation

Important note:

When we consider which activities are reasonable for operators to undertake to comply with each principle, we will take into account:

- the operator's circumstances, size and nature
- the needs and characteristics of the community it services

The table below shows that Conditions C apply to Category 1 and 2 operators only.

Licence category	C.1	C.2	C.3
1	✓	✓	✓
2	✓	✓	✓
3	-	-	-
4	-	-	-

Price breakdown templates

Price breakdown information required under Licence Conditions C Pricing transparency **must be provided in the approved format.**

The approved format for these price breakdown templates are listed below and are available on the CCNSW [website](#):

- Operator Price Breakdown Template for Basic Burial
- Operator Price Breakdown Template for Basic Ash Interment
- Operator Price Breakdown Template for Basic Cremation

It is **mandatory** to use the approved templates. Operators may make style changes only, such as adding their branding to the price templates.

If you provide more than one of these service types, then a price breakdown will need to be made available for each.

Each template has sections with standardised sections (price breakdown elements) and explanations for the customer. If a particular component is not relevant to your price structure, you must still include it in the template but mark it n/a and explain why that component is not itemised.

More information about the template is included in the Additional Resources section.

Goods and Services Tax (GST)

The price breakdown templates allow operators to display prices either including or excluding GST, recognising that GST may apply to certain aspects of an interment service price and not others.

Use the GST inclusive column for the components where GST is applicable.

Operators are responsible for seeking their own advice on the application of GST to their products and services.

Australian Consumer Law

The Australian Competition and Consumer Commission also plays a role in price regulation in Australia, through the Australian Consumer Law. Businesses are required to display clear and accurate prices, and not mislead consumers about their prices. Both NSW Fair Trading and the Australian Competition and Consumer Commission regulate the Australian Consumer Law in NSW.

For more information about these requirements, visit the ACCC website - <https://www.accc.gov.au/business/pricing>.

Understanding the conditions

C.1 – Price breakdowns of basic products

Condition C.1 - Operator must make a price breakdown of the Basic Adult Burial, Basic Ash Interment and/or Basic Cremation publicly available

What condition C.1 means

This condition means that you must identify your basic interment services, and explain the price breakdown of those services to customers in the approved format (the relevant Operator Price Breakdown Template). This will build customer awareness about the component costs that contribute to the price of an interment, and make it easier for customers to compare prices between operators.

‘Basic services’ are the lowest price option an operator provides within the ‘basic service’ definitions below.

The pricing transparency licence conditions refer to three basic services:

1. **Basic Adult Burial (at need)** – this is a service where there is a **bodily interment or placement** in a grave or built structure
2. **Basic Ash Interment** – this is a service where there is an **interment or placement of ashes** in a grave or built structure
3. **Basic Cremation** – this refers to a service where only **cremation** is provided and there is no interment component.

Note regarding approved formats

The price information for the basic interment services **must be provided in the approved format** (with branding changes only) and made available at each place of business of the Operator or in another manner approved in writing by the Cemeteries Agency.

The approved formats for these price breakdowns are available on the [CCNSW website](#):

- Operator Price Breakdown Template - Basic Adult Burial
- Operator Price Breakdown Template - Basic Ash Interment
- Operator Price Breakdown Template - Basic Cremation

If you provide more than one of these service types, then a price breakdown will need to be made available for each.

Note regarding basic services

The licence conditions **do not** require operators to create a new interment service product. For example, if a cemetery operator only offers a basic ash interment and not burials, then only that lowest ash interment cost option must be provided using the pricing transparency templates.

A price breakdown does not have to be provided for a service that is only temporarily an Operators' lowest priced service due to a short-term promotion.

How to comply with condition C.1

There are a series of key steps to demonstrating compliance:

1. Identify the basic interment services that you offer.
2. Complete the relevant price breakdown templates for those basic services.
 - A tool is available on the CCNSW website to assist operators in better understanding the costs of their cemeteries/crematoria to support completing the price breakdown templates. See further information below in the Resources section on how to use the tool. Use of this tool optional, **not** mandatory.
 - Where an element of the pricing breakdown does not apply, for example, is not offered by an operator, it can be marked as not applicable.
 - Operators may include additional information in the template, for example, a discount.
3. Be prepared to be able to provide your price breakdown to CCNSW on request.
4. Provide your price breakdowns at your place of business and on your website (if you have one).
 - Provide the information in a place and a format that's easy for customers to access and understand.

C.2 – Publish prices for all available interment services

Condition C.2 - Operator must publish prices for all of their available interment services on their website or at their place of business if they do not maintain a website

What condition C.2 means

Condition C.2 complements condition C.1, by expanding transparency from the basic interment services to all available interment services.

These prices are not required to be published in the itemised price breakdown format (though for Category 1 operators the price must be broken down in a similar way in each individual contract as per Condition A.3).

This condition relates to interment services – burials, ash interments and cremations. This condition does not apply to other services such as flowers, catering and function centre use.

How to comply with C.2

Provide your complete interment services price list at your place of business and on your website (if you have one).

Provide the information in a place and a format that's easy for customers to access and understand.

C.3 – Provide basic prices before entering into customer contracts

Condition C.3 - Operator must not enter a Customer Contract unless the Customer has been provided details of a Basic Adult Burial, Basic Ash Interment or Basic Cremation

What condition C.3 means

This licence condition is about informing customers of the basic services available to them, at the time when they are making a purchase decision. Making a customer aware of the least expensive (basic) option before they sign a contract will allow them to understand the price and components of

the least expensive option offered at that cemetery, and how it differs from the package they have chosen to purchase (if different). This supports an informed decision.

Further information on customer contracts will be provided in the Guide to Contract Licence Conditions.

How to comply with condition C.3

To comply with condition C.3, ensure that customers are shown the relevant basic price breakdown as part of finalising their contract with you for provision of an interment service.

Where the contract is being signed with an authorised agent on your behalf, such as a funeral director, you must ensure that the funeral director is complying with this requirement.

As part of signing the contract, both the customer and the operator (or authorised agent) will need to sign a declaration stating that they were given information about the relevant basic service prior to entering into the contract.

Showing compliance

Compliance strategies

In this section, we share some tips about how you can show compliance with conditions C.

Make it easy for customers to find your prices

Your licence conditions require you to display your basic prices in the approved breakdown format, as well as a full price list for interment services. These prices should be easy for your customers to find. If they are easy to find on your website, and/or at your place of business, it will make it easy for us to monitor your compliance with these licence conditions.

Support customers to understand your pricing

To ensure customers are aware of the basic services you provide before signing a contract with you, you could:

- include the information with any early materials you provide and discuss with customers.
- Include this licence condition requirement in your standard operating procedures or equivalent
- Have a checklist where staff can record all required steps as part of a customer interaction, including compliance with the pricing requirements

Offer training to staff

Provide training and support for staff on these licence conditions, and how they are required to provide pricing information to customers before entering into a contract.

Ensure funeral directors and third parties comply

If you use a funeral director or other third party as your authorised agent, talk to them about the requirements regarding pricing transparency. Have a documented procedure for them to record the conversations they are having with customers about pricing, and for them to record that they have shown the customer the relevant basic service as required.

Our compliance approach

CCNSW will monitor Operators' compliance with the Conditions. For more information on CCNSW's compliance approach see its [Regulatory Framework](#).

We believe in working with you to help you understand your compliance obligations and improve industry practices. If we identify non-compliance, we may take regulatory action to enforce compliance where appropriate.

When preparing to engage with us to show compliance with condition E.1, you should have relevant documentation available and be prepared to answer questions relating to compliance with the principles.

When we consider which activities are reasonable for operators to undertake, we will take into account:

- the operator's circumstances, size and nature
- the needs and characteristics of the communities it services.

Additional resources

Understanding your costs to facilitate publishing price breakdowns

Understanding your operational costs is important to be able to determine and explain the price of the products and services you provide, and for general business planning.

The cost to provide a service may be the same, higher or lower than the price charged to customers. If the cost is higher than the price, that means that you are providing a discount. A discount can be shown to customers in a price breakdown.

To support operators to meet the pricing transparency licence conditions, an Excel tool (called the *CCNSW cost breakdown tool for cemetery and crematoria operators*) is available on the CCNSW website for operators to help identify and quantify the costs of the products and services provided to customers. The tool allows you to input your raw costs, and align those costs with the key elements of the price breakdown template. The price breakdown template does not require you to align your prices to precisely match your costs, but understanding your costs should help you to understand how your prices can be broken down most accurately.

This is an **optional resource**. You are not required to use this tool. The information used to complete the tool and the calculations the tool provides are **not** required to be provided to customers.

Using the cost breakdown tool

The tool guides Operators on how to identify and measure costs needed to meet the pricing transparency licence conditions for

- Basic Adult Burial: defined as the least expensive available bodily interment package, (including the interment right and the burial).
- Basic Ash Interment: defined as the least expensive available ash interment package, (including the interment right and the placement/burial of ashes).
- Basic Cremation: defined as the least expensive cremation-only package.

The tool can also be used by Operators to cost (and help to price) individual product types as required under Conditions A (Consumer contracts) for Category 1 and 2 operators.

After inputting the different costs associated with each of the basic services, the tool will then automatically populate your costs into the appropriate sections of the relevant Operator Price Breakdown Template that can be used to create the pricing breakdown provided to customers.

NOTE:

The pricing tool has 2 output tabs that generate costs which can be used to guide your price breakdowns:

- the 'Basic Cremation' tab for use with the Basic Cremation price breakdown template
- the 'Basic Burial and Memorial' tab for use with the Basic Adult Burial and Basic Ash Interment price breakdown templates.

The 'Basic Burial and Memorial' tab uses the same format for the 2 different price breakdowns, including the cost for cremation. Cremation is not part of the Basic Adult Burial template, so this section can be ignored when using the tool and completing the template for that service.

The wording of the price breakdown templates is slightly different than the wording in tool, and the order of rows may be different, but the content is the same. Please take care when copying figures from the pricing tool to the price breakdown template as the rows may not be in the same order.

Prepare for using the tool by:

- Downloading the Excel workbook from the CCNSW website and saving it to your computer or IT system (this is required to enable the macros in the sheet to work)
- Gathering the financial records for each of your cost components. The Contents page of the Excel workbook will help you identify what records you may need,
- Reading the instructions on how to use the Excel workbook carefully. These are in the Introduction, Contents and Principles tabs. Further instructions are contained in each part of the workbook to guide you in each step of the tool.

It's important to follow the instructions to ensure the workbook calculations function correctly.

Using the Operator Price Breakdown templates

The price breakdown templates allow you to specify what specific inclusions there are for each price element, or to mark a component as n/a if it is not relevant for your pricing.

Examples of each price breakdown template are provided in the appendices at the end of this document to show the types of costs that might be included.

Appendices

Appendix 1 – Price breakdown example for a Basic Adult Burial

This price breakdown example uses figures from a fictional operator.

This price breakdown for the Basic Adult Burial is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Right to inter (bury) bodily remains in a particular location in a cemetery				
Administration – Interment right	Preparation of key documentation and associated activities to issue an interment right (the right to be buried in a particular location) including: - Consumer Contract - Interment Right Certificate	Also includes time spent with the customer to choose a specific burial site	-	\$1,000
Land value	Relevant proportion of the cost of purchasing land for the cemetery	Cemetery purchased in 1890 – no land value reflected in pricing.	n/a	n/a

Site development	Relevant proportion of the cost of developing land for the cemetery, or the specific area of the cemetery (<i>Applies to new cemetery development only</i>).	Basic Adult Burials are in the Blossom Lawn section of the cemetery which was developed in 2022 and contains 2000 sites.	-	\$200
Maintenance	Share of cost of activities required to maintain the site and the cemetery. Operator to specify whether perpetual maintenance (future) is included.	Includes maintenance and perpetual maintenance	\$550	
Sub-Total			\$550	\$1200
Burial or placement of bodily remains in grave or built structure				
Burial, or Placement	Burial of bodily remains in the ground, including excavation (digging a grave to the appropriate size and depth) and landscaping the site after burial, or Placement of bodily remains elsewhere than in the ground (e.g. crypt, mausoleum).	Excavation of grave site Burial Filling of grave Topping up and turfing of grave	\$2,200	
Administration - Burial	Administrative costs associated with the burial for example issuing the Order for Interment (required to confirm all details correct before burial occurs)	Order for Interment		\$100
Sub-Total			\$2200	\$100
Memorial (if applicable)				
Plaque, monument, headstone, garden or other item installed on a site to commemorate	Engraving and/or placement of a memorial	Not applicable – memorials not provided by operator. They are provided by a third party stonemason, who must be registered by the operator.	-	-

or identify				
Religious, Cultural or Spiritual (if applicable)				
Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example interment within 24 hours requiring staff overtime, backfill by hand requiring additional labour.	Not applicable – requirements are provided as requested, none included in basic product	-	-
Additional fees, services or products (if applicable)				
Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.	Not applicable	-	--
Discounts (if applicable)				
Discounts	For example if a discount is offered to local ratepayers by council operators.	Not applicable	-	-
			GST applicable subtotal	GST not applicable subtotal
			\$2750	\$1300
Total price for Basic Adult Burial (including GST where it is applicable)				\$4050

Appendix 2 – Price breakdown example for a Basic Ash Interment

This price breakdown example uses figures from a fictional operator.

This price breakdown for the Basic Ash Interment is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Right to inter (place) ashes in a particular location in a cemetery				
Administration – Interment right	Preparation of key documentation and associated activities to issue an interment right (the right to place (inter) ashes in a particular location) including: - Consumer Contract - Interment Right Certificate	Also includes time spent with the customer to choose a specific site	-	\$1,000
Land value	Relevant proportion of the cost of purchasing land for the cemetery	Cemetery purchased in 1890 – no land value reflected in pricing.	n/a	n/a
Site development	Relevant proportion of the cost of developing land for the cemetery, or the specific area of the cemetery (<i>Applies to new cemetery development only</i>).	Basic Ash Interments are placed into a niche the Cherry Tree Wall section of the cemetery which was developed in 2015 – no development costs included in the price.	-	n/a

Maintenance	Share of cost of activities required to maintain the site and the cemetery. Operator to specify whether perpetual maintenance (future) is included.	Includes maintenance and perpetual maintenance of the niche wall	\$330	-
Sub-Total			\$330	\$1000
Placement of ashes				
Placement of ashes	Placement of ashes in the ground or another structure (such as a columbarium or niche wall)	Excavation of grave site Burial Filling of grave Topping up and turfing of grave	\$550	-
Administration – Placement	Administrative costs associated with the placement of the ashes for example issuing the Order for Interment (required to confirm all details correct before any placement occurs)	Order for Interment	-	\$100
Sub-Total			\$550	\$100
Cremation (if applicable)				
Cremation	Cost of cremation, if included in the Basic Ash Interment	Not applicable – cremation is a separate service, not part of the Basic Ash Interment.	n/a	n/a
Administration – Cremation	Administrative costs or fees associated with the cremation, including any mortuary storage costs or transportation costs that apply.	Not applicable.	n/a	n/a

Memorial (if applicable)

Memorial plaque, garden or other item installed on a site to commemorate or identify	Engraving and/or placement of a memorial	Not applicable – memorials not provided by operator. They are provided by a third party, who must be registered by the operator.	n/a	n/a
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Religious, Cultural or Spiritual (if applicable)

Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example, witness insertion costs.	Not applicable – requirements are provided as requested, none included in basic product	n/a	n/a
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Additional fees, services or products (if applicable)

Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.	Not applicable	n/a	n/a
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Discounts (if applicable)

Discounts	For example if a discount is offered to local ratepayers by council operators.	Not applicable	n/a	n/a
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			GST applicable subtotal	GST not applicable subtotal
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	\$880	\$100
Total price for Basic Ash Interment (including GST where it is applicable)		\$980

Appendix 3 – Price breakdown example for a Basic Cremation

This price breakdown example uses figures from a fictional operator.

This price breakdown for the Basic Cremation is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery or crematorium operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Collection and storage				
Collection and transportation	Collection and transportation of the deceased to the crematorium, if provided by the operator.	Not applicable – provided by funeral director.	n/a	n/a
Storage	Storage of the deceased in mortuary or holding room	Holding costs of \$100 per day apply – for a Basic Cremation, there is usually no storage inclusion.	n/a	n/a
Sub-Total			\$0	\$0
Administration				
Administrative costs of the cremation	Administrative processes required before a cremation such as validation of the death certificate and other legal requirements.	Validation of information provided by funeral director.	\$220	-

Cremation				
Preparation	General activities required to prepare for a cremation		\$110	-
Cremation	Costs of cremation, including the costs of gas or other fuel Any costs required to prepare the ashes for collection	Gas the main cost for cremation Preparing ashes requires staff time	\$440	-
Urn or vessel to contain ashes	Any vessel provided to store and return ashes	Ashes provided in a Styrofoam container – no	n/a	n/a
Sub-Total			\$550	-
Religious, Cultural or Spiritual (if applicable)				
Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example, witness insertion costs.	Not applicable – requirements are provided as requested, none included in basic product	n/a	n/a
Additional fees, services or products (if applicable)				
Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.	Not applicable	n/a	n/a
Discounts (if applicable)				
Discounts	For example if a discount is offered to local ratepayers by	Not applicable	n/a	n/a

	council operators.			
			GST applicable subtotal	GST not applicable subtotal
			\$770	\$0
Total price for Basic Cremation (including GST where it is applicable)				\$770