

**OPERATIONAL
STANDARDS
FOR
RENDERING OF
SERVICES
WITHIN
CREMATORIA**

Superintendence of Public Health

Ministry for Health and Active Ageing

Date: September 2024

Scope

This document applies to all crematoriums operating within the Maltese Islands and lays down the minimum requirement for the correct operation of crematoriums. The operators of crematoriums are further encouraged to consider the application of CEN standards or equivalent.

Applicability

This document applies to all crematoriums licensed under Article 6 of the Cremations Act of 2019.

This document is to be considered as standards published in terms of Article 3 (2) (a) of the aforementioned Act.

Other Applicable Laws

These standards should be read as one with the relevant articles/regulations, but not limited to, the following laws and any other standards that the Superintendent of Public Health (SPH) may at any time apply;

The Cremations Act, 2019

Chapter 10 of the Code of Police Laws;

The Addolorata Cemetery Ordinance;

The Burials Act;

The Public Health Act; and

Any relevant amendments.

Applicable Standards

The Superintendent of Public Health may from time to time published any other standards that may be included with, amend or replace any part of these standards.

Definitions

Unless otherwise specified the definitions defined by law will apply.

Disclaimer

The wording of the legislation shall apply if any text within these standards might give rise to a conflict of interpretation with the law.

1. Education

1.1 General

All persons dealing with cremation services shall have adequate training organised by the operator to ensure the quality, safety, and efficacy of the crematorium and as the SPH may deem necessary.

The operator shall ensure that crematorium management, personnel and funeral directors have the skills and experience to politely, ethically and respectfully deal with the deceased persons and their relatives and/or acquaintances.

All personnel engaged in and offering a service within the crematoriums shall observe an appropriate dress code at all time during the services.

Training components shall include;

- a) Basic knowledge on legislation;
- b) Quality management;
- c) Hygienic treatment of deceased and hygienic measures for personnel;
- d) Basic psychology on advising the mourners;
- e) Different cultures and religious rituals;
- f) Cremation techniques; and
- g) Environment protection, health and safety.

Training may be divided into specialised fields that focuses on the aspects of the duties and responsibilities of the crematorium business.

1.2 Funeral Director

The funeral director is the person who may be appointed and authorised by the next of kin of the deceased to take care of the proper cremation of the deceased and with the approval of the operator.

Without prejudice to any other agreement with the customer the responsibilities of the funeral director shall include;

- a) Price quotations, hiring relevant staff, arranging any necessary sub-contracts, and billing for products and cremation services;
- b) Preparing, organising and performing cremation ceremonies;
- c) Meeting all legal standards that may apply;
- d) Supervising and coordinating staff;
- e) Carrying customer support as may become necessary;
- f) Handling of the coffin
- g) Handling of the deceased.

Funeral directors should ensure that the above responsibilities are performed with the minimum duress of the customer, particularly the relatives.

1.3 Ancillary personnel

Crematorium personnel engaged in the rendering of services in a crematorium should carry out their responsibilities in accordance with legislation in force and in a respectful manner at all time.

The duties of crematorium personnel shall include but not limited to the following;

- a) Taking care of the corpse from the moment it is at the disposal of the funeral director as authorised by the relatives and until the destination.
- b) Carry out instructions from the funeral director or the operator.
- c) Act on the guidance of the funeral director or the operator as necessary.

2. Advice and Information

2.1 Preliminary consultations

The funeral director or operator shall advise clients comprehensively, correctly and with due consideration of the financial resources of the person/s seeking the service. The funeral director or operator shall behave tactfully and with sympathy to the client. The funeral director shall present himself/herself with an appropriate appearance. Consultations between the funeral

director/operator and the client should be held in appropriate offices or at the client's requested venue provided this is appropriate for such meetings.

The funeral director/operator should hold a preliminary consultation with the client to discuss statutory or other requirements for an adequate cremation. Preliminary consultation may include;

- a) Choice of crematorium;
- b) Choice of ceremony;
- c) Person signing the application for cremation;
- d) Preliminary information on expected funeral costs;
- e) Scheduling of the ceremony;
- f) Retention or disposal of cremated remains;
- g) Information regarding the existence of complaints procedure;
- h) Responsibility and methods of payment.

The funeral director or operator should at all times accommodate his clients' wishes including but not limited to the participation of mourners during the ceremony, options for the disposal of cremated remains in accordance with the provisions of the law; published obituaries and any other matter that the client may desire provided the client's demands are within legal parameters and these are not in conflict with any written demands left by the deceased which are known to be in existence prior to the cremation of the deceased.

The client has a right to be informed on;

- a) Possible crematoria that may be used;
- b) Authority to cremate;
- c) Types of urns;
- d) Ownership of the urn;
- e) Any maintenance costs related to the upkeep of columbarium;
- f) Possibilities of erecting monuments or memorials;
- g) Possibilities of scattering of ashes.

2.2 *Advice on the ceremony*

2.2.1 *Obituaries*

The client shall be informed of the various options of obituaries. The text of the obituary should be adequate when identifying the preference for cremation and should not in any way serve as an advert for the promotion of the crematorium or cremation.

2.2.2 *Organisation of the cremation ceremony*

The funeral director or operator shall ensure that any advice should take into account the wishes of the deceased and the bereaved together with religious or secular ceremonies. The advice offered by the funeral director or operator regarding the ceremony shall include as appropriate;

- a) Procession to and from the ceremony room;
- b) Provision of suitable photographs of the deceased and condolence books;
- c) Final journey to the point of committal;
- d) Farewell at the crematorium; and
- e) Suitable decorations within the ceremony room;

2.2.3 *Funeral ceremony conducted by religious or secular officiant(s)*

The funeral director or operator sequence of the funeral ceremony shall be discussed with the officiant(s) and the time schedule should be agreed. Order of speakers should be determined.

The funeral director or operator should ensure seating arrangements are in place.

The following should be taken into consideration, if necessary:

- a) The need to ensure any religious clearance for the use of the venue ;
- b) A public address system should be provided and checked in advance;
- c) The possible presence of guards of honour and flag bearers should be discussed;
- d) If and where the clients wish to greet those attending the ceremony; and
- e) Whether sound, video or media presence is to be allowed during the ceremony

2.2.4 *Music*

The funeral director or operator should ensure that the client's choice of music is provided during the ceremony. Music should be adequate for the occasion. Live musicians should be provided with seating and any necessary sound systems should be procured as necessary.

2.2.5 Post-ceremony services

At the wish of the client the funeral director or operator shall also ensure the provision of;

- a) Catering services;
- b) Transport for the attendees;
- c) Monument mason works;
- d) Handling of flowers, letters of sympathy, memorial cards and similar memorabilia;
- e) Accounting for an delivery of any charitable or other donations made during the ceremony; and
- f) Post funeral arrangements for the urn.

2.2.6 Services, costs and agreement

The full range of services and products delivered by the funeral director or operator shall be listed. The funeral director or operator should present a written estimate, including value added tax, to the client prior to the ceremony. The funeral director or operator should also indicate any possible additional costs that can reasonably be estimated.

Once agreement with the client is reached the order should be signed by the funeral director or operator and the client in advance.

3. Crematorium

3.1 General

It is the responsibility of the operator of the crematorium (licence holder) to ensure that a crematorium shall comply with the minimum requirements under Article 8 of the Cremations Act, 2019 and any other applicable legislation, guidelines, and standards.

3.1.1 Mortuary

After the death has been medically diagnosed a corpse shall be kept in a room or building for hygienic storage, removal of foreign matter and preparation of the corpse for cremation. It may be necessary that a mortuary includes cooling and/or refrigeration facilities with an uninterrupted electrical power supply.

Facilities for the preparation of the corpse for cremation should ensure hygiene and personnel security from all kinds of diseases. The room / area which may not be on the premises but situated in another site e.g. a hospital, shall meet the following requirements:

- a) Suitable table in stainless steel or other material resistant to chemicals, washable and allowing draining;
- b) Equipped with necessary elements for the protection and safety at work of the personnel and methods of disinfection;
- c) Lift trolleys for moving the bodies.

The mortuary may not be used for any other purpose except for the functions of the crematorium. No autopsies may be carried out on such premises.

3.1.2 Viewing Room

The viewing room shall be in an area where the deceased may be viewed in private, following any treatment carried out, according to the wishes of the client. Strict hygienic conditions shall be maintained.

The furnishings shall be designed in accordance with the intended use of the rooms.

- Adequate seating for the bereaved should be provided.
- Viewing rooms should be ventilated and / or air-conditioned.
- Viewing rooms should be suitably sound proofed.
- A suitable means of communication with the crematorium staff should be provided.

3.1.3 Public Areas

The viewing room and ceremony room should be considered as a public area as any reception area, consultancy room and sanitary facilities.

3.1.4 Consultancy room

This should be a suitable room within the crematorium for the purpose of discussing any requirements with the operator or funeral director.

3.1.5 Sanitary facilities

There should be a sufficient number of toilet facilities for use by the public.

Personnel should be provided with toilet facilities, showers, changing rooms and separate kitchen area.

3.1.6 Ceremony Room

An area where the cremation chamber is sited or in close proximity to it should be identified as ceremony room for the rendering of services prior to the insertion of the coffin into the chamber. The ceremony room may include, when necessary:

- a) Number of seats available for those expected to attend;
- b) Facilities and equipment for those with special needs;
- c) Adequate facilities for live and / or recorded music;
- d) Space for floral tributes;
- e) Table/s for condolences books;
- f) Appropriate decoration;
- g) Technical equipment;
- h) Appropriate lighting.

4. Cremation

Cremation is the technical process which reduces human remains to cremated remains, including the pulverisation of such remains. To ensure the correct cremation process, operators should ensure that;

- a) The coffin and its inner lining are suited for cremation.
- b) The removal by authorised and qualified persons of implants that may be dangerous to staff and/or equipment of the crematorium;
- c) That only encoffined deceased are cremated;
- d) All cremations are carried out separately except for provisions made through Cremation Act;
- e) There is no mixing of ashes;
- f) Only human remains shall be cremated at a crematorium;
- g) Ashes are treated with respect at all times and not tampered with;

- h) Separation or other treatment of ashes is not carried out unless previously consented to by the deceased and/or client;
- i) Appropriate steps are taken to adequately identify the deceased on arrival at the crematorium, through the cremation process and until the final disposal of the ashes;
- j) The residual products of a cremation are not used to make a profit;
- k) The waste from the cremation is adequately disposed of;
- l) All staff involved with cremation are competent in the tasks they perform and hold suitable qualifications as necessary;
- m) Urns are made of resistant material and appropriate for the holding of ashes resulting from the cremation of the deceased and/or human remains;
- n) The disposal of ashes is carried out in terms of Part VI of the Cremations Act, 2019;
- o) Annex I, “The Code of Ethics of the International Cremation Federation” (ICF) is adhered to.
- p) Crematorium licensee is to provide the SPH with a back up plan in cases of failure throughout the cremation process.

5. Retention or Disposal of Cremated Remains

Following the process of cremation the operator of the crematorium is to retain and dispose of the cremated remains in accordance with Part VI of the Act.

- a) Operators of Crematoria may offer to the relatives of the deceased the service of retaining the cremated remains in designated areas within the facility by providing the service of hiring out Columbarium or offering the service of scattering ashes in specific designated areas with the facility.
- b) Such areas should have the same appropriate environment required within cemeteries which reflects the respect and dignity to the deceased. Such areas should be kept in a quite environment, clean, and well decorated to reflect the respect of the deceased.
- c) The operator should ensure adequate identification of the ashes by labelling urns containing ashes with appropriate registration number and/or name of the deceased. Any urns with cremated remains should be registered within the facility for proper identification of the ashes. Such register is to be made available to Health Authority when requested.

6. Legislation and Environment

- (1) Without prejudice to Part VII of the Cremations Act, 2019, the SPH shall have the right to ensure that crematoria are complying with these standards;
- (2) The operator shall ensure that he/she abides by the conditions of license to operate a crematorium in terms of the Cremations Act, 2019 at all times.
- (3) The operator shall ensure to abide with the requirements of any other licence or authorisation required under any other law or by any other authority, including but not limited to Chapter 552 Development Planning Act (Act VII of 2016).
- (4) The operator shall ensure at all times that any emissions of gases emanating from the Crematorium are in compliance with Chapter 549 Environmental Protection Act (Act I of 2016 as amended by XXIII of 2018).
- (5) In order to minimise the release of pollutants to air the following measures are to apply:
 - i) The coffin must be made of a suitable material which, when placed in a cremator and subjected to the cremation process, is easily combustible and which does not emit smoke, give off toxic gas or leave any retardant smears or drips after final combustion. No metal of any kind shall be used in the manufacture of such coffin except as necessary for its safe construction and then only metal of a high ferrous content.
 - ii) No metal furniture or fittings whatever shall be used on a coffin for cremation. Coffin handles should be free from unnecessary metal components. External coatings to a coffin must allow for smokeless combustion and the use of nitro-cellulose varnish, polyurethane, melamine and any products containing polyvinyl chloride (PVC) or melamine must not be used in coffin construction or furnishings.
 - iii) It is recommended that clothing should be of natural fibres and that shoes or any material manufactured from PVC should not be included. Body adornments manufactured from copper should be removed as should any easily removable prostheses or casts of plaster or other material. Additional items, particularly of glass or plastic, should not be placed within the coffin.