

AMENDMENTS TO THE CREMATION, INTERMENT AND FUNERAL SERVICES REGULATION

MARCH 2016



**CONSUMER
PROTECTION BC**

An introductory note

On March 1, 2016, the BC government announced changes to the Cremation, Interment and Funeral Services Regulation that provide for progressive levels of supervision for licensed funeral director and embalmer apprentices as they progress through their apprenticeship.

The purpose of this slide show is to highlight the specific amendments to the regulation. All of the sections that have been crossed out have been removed and all sections in red are new.

We hope this resource helps to identify the changes that have been made to the law. **Please note that all of the changes are effective April 1, 2016.**

*** This information is being provided for learning purposes only. Consumer Protection BC does not provide legal advice. The official government versions of any legislation/regulation should always be consulted. These can be accessed online at www.bclaws.ca.*

32 Facility requirements for funeral providers

32 (3) If a funeral provider disinfects, preserves or restores human remains, the funeral provider must also ensure that the room referred to in ~~subsection (1)~~ **subsection (2)** is equipped with

- (a) a second sink, or the sink referred to in ~~subsection (1)~~ **subsection (2)** must have two compartments,
- (b) a continuous flow eyewash facility with a minimum duration of 15 minutes,
- (c) supplies necessary for the disinfection, preservation and restoration of human remains performed by the funeral provider, and
- (d) sanitary drains for the disposal of bodily fluids and embalming fluids, that are equipped with splash guards and a backflow valve.

34 (3) A funeral provider must ensure that, for each container and model of a container referred to in ~~subsection (3)~~, **subsection (2)**, the price of the container is clearly set out and is affixed to the container.

37 Licensing of apprentice funeral directors and embalmers

37 (1) In this section, a reference to a licensed funeral director or a licensed embalmer means a funeral director or an embalmer who is licensed and has been licensed for the immediately preceding 2 years.

~~(2) For the purposes of this section, an apprentice to a funeral director or an embalmer is working under direct supervision when a licensed funeral director or a licensed embalmer, as the case may be, is present at the time the apprentice is assisting with, or performing the duties of, a funeral director or an embalmer.~~

(2) For the purposes of section 55 (6) of the Act, an apprentice to a funeral director is acting under supervision and direction as follows:

(a) if the apprentice has either completed fewer than 1 800 hours of practical training or negotiated, entered into and administered fewer than 25 funeral contracts, when a licensed funeral director is

(i) present at the time the apprentice is assisting with or performing the functions of a funeral director, and

(ii) observing and guiding the assistance with or performance of those functions;

(b) in any other case, when the apprentice has access to, and may readily communicate with, a licensed funeral director while assisting with or performing the functions of a funeral director.

37 (2.1) For the purposes of section 55(6) of the Act, an apprentice to an embalmer is acting under supervision and direction as follows:

- (a) if the apprentice has completed fewer than 25 embalmings, when a licensed embalmer is
 - (i) present at the time the apprentice is assisting with or performing the functions of an embalmer, and
 - (ii) observing and guiding the assistance with or performance of those functions;
- (b) in any other case, when the apprentice has access to, and may readily communicate with, a licensed embalmer while assisting with or performing the functions of an embalmer.

37 Licensing of apprentice funeral directors and embalmers

37(3) An applicant for a licence to act as or hold himself or herself out as an apprentice to a funeral director or an embalmer or both must submit to the director

(a) if the applicant is to be an apprentice to a funeral director, enrollment in a funeral services program designated as a recognized program under the *Industry Training Authority Act*,

(b) if the applicant is to be an apprentice to an embalmer, enrollment in an embalming education program designated as a recognized program under the *Industry Training Authority Act*,

(c) if the applicant is to be an apprentice to both a funeral director and an embalmer, enrollment in the programs referred to in paragraphs (a) and (b),

(d) a letter from a funeral provider that includes the information set out in subsection (4), and

(e) a statement signed by the licensed funeral director or licensed embalmer who is to provide ~~the direct supervision of the applicant, agreeing to perform this role.~~ **the supervision and direction of the applicant, agreeing to perform this role as set out in subsection (2) or (2.1), as applicable.**

37 Licensing of apprentice funeral directors and embalmers

37 (4) A letter referred to in subsection ~~(2) (d)~~ (3) (d) from a funeral provider must state the following:

(a) the applicant is to be employed by the funeral provider as an apprentice funeral director or embalmer or both;

~~(b) the funeral provider agrees to ensure that~~

~~(i) if the applicant is to be an apprentice to a funeral director, the applicant is working under the direct supervision of a licensed funeral director,~~

~~(ii) if the applicant is to be an apprentice to an embalmer, the applicant is working under the direct supervision of a licensed embalmer, and~~

~~(iii) if the applicant is to be an apprentice to both a funeral director and an embalmer, the applicant is working under the direct supervision of a licensed funeral director, when performing functions of a funeral director and a licensed embalmer when performing functions of an embalmer;~~

(b) the funeral provider agrees to ensure that the applicant is acting under the supervision and direction, as set out in subsection (2) or (2.1), of

(i) a licensed funeral director, if the applicant is to be an apprentice to a funeral director,

(ii) a licensed embalmer, if the applicant is to be an apprentice to an embalmer, and

(iii) a licensed funeral director while performing functions of a funeral director and a licensed embalmer while performing functions of an embalmer, if the applicant is to be an apprentice to both a funeral director and an embalmer;

37 Licensing of apprentice funeral directors and embalmers

37(6) Unless the director otherwise permits, an apprentice to a funeral director, an embalmer or both must, during the period the apprentice is licensed,

(a) have continuous employment with a funeral provider,

(b) if performing functions of a funeral director ~~perform those functions only under the direct supervision,~~
perform those functions only under the supervision and direction, as set out in subsection (2), of a licensed funeral director, and

(c) if performing the functions of an embalmer, perform those functions only under ~~the direct supervision~~ **the supervision and direction, as set out in subsection (2.1),** of a licensed embalmer.

While the amendments to the Cremation, Interment and Funeral Services Regulation and are publicly available, we have created presentation detailing which parts of the law are changing in order to assist our stakeholders with understanding these changes

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For visit us online for information about the cremation,
interment and funeral services industry at:

www.funeralrightsbc.ca

