



**CONSUMER  
PROTECTION BC**



# Inspection Guide

Crematoriums

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## Introduction

Consumer Protection BC is responsible for the administration and enforcement of the *Business Practices and Consumer Protection Act (BPCPA)*, the *Cremation Interment and Funeral Services Act (CIFSA)*, and the *Cremation Interment Funeral Services Regulation (CIFSR)*. Together the BPCPA, CIFSA, and CIFSR govern the licensing requirements and conduct of businesses and persons that provide crematorium services in the Province of British Columbia.

This guide has been prepared to better inform and educate crematorium operators on the compliance inspection process. As one of our licensed businesses it is your responsibility to conduct yourself and to operate your business to comply with the laws and conditions on the licences. We recommend you take the time needed to read this guide fully and to make sure that your managers and staff are familiar with the information.

This guide provides a reference point, so you know what to expect and how to prepare for our compliance inspections.

This is a general overview of the compliance inspections process. This guide is not intended to provide legal advice and it is not an exhaustive review of the legislative provisions affecting you or your sector in BC. We recommend that you get copies of the legislation and regulation and review them in detail. You can find them [online](#) or printed versions may be ordered from:

Crown Publications Inc.  
563 Superior Street  
Victoria, BC, V8V 1T7  
TF: 1.800 663.6105 Fax: 250.387.1120

For more general information, we can be reached at:

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## Background: our responsibilities

### The role of Consumer Protection BC

Our purpose is to license and inspect regulated businesses, respond to consumer inquiries, investigate alleged violations of consumer protection laws, classify all general release and adult films, and provide information and referrals to consumers.

As part of our responsibility to ensure compliance with the law and conditions on a licence, we regularly perform compliance inspections as well as inspections in response to consumer complaints. When an inspector identifies issues of non-compliance, the inspector may open a complaint file. When the eventual outcome of a complaint file results in compliance by the business, or some form of enforcement action being taken against the business, the outcome is published to our website. We share this information to enable consumers to make informed decisions.

### The role of the licensee

You are legally responsible for understanding the Act, Regulation, conditions on your licence and be in compliance with them all.

You are also responsible for making sure your employees follow the Act, Regulation, and conditions on the licence, even when you are not present at the business.

You must fully cooperate with an inspector. Providing false or misleading information to an inspector or obstructing or hindering an inspection are serious contraventions. A person that carries out such behaviours or activities is also subject to prosecution under *the Offence Act*.

## Inspection process

### Scheduling and notification

Inspectors attend businesses located throughout the Province – sometimes arriving unannounced. The Act allows for an inspector to enter a business at any reasonable time to determine compliance with the Act, Regulation, conditions on a licence, or the suitability of a licensee or an applicant for a licence.

### Authority to inspect

It is your responsibility to cooperate fully during an inspection. In most instances, an inspector will provide their official identification on arrival, or a request can be made for them to produce it. You must not do anything to obstruct, hinder, or interfere with an inspector's entry and inspection of a business.

The Act gives the inspector the authority to:

- Inquire into any business, affairs or conduct of a person
- Inspect, audit or examine any record, goods or other things or the provision of services in the premises

- Inspect a vehicle or vessel that is being used for business purposes
- Require a person who has possession or control of any records, goods, or other things in the premises, vehicle or vessel to produce the records, goods or things
- Make a record, including a record on film, audio tape, video tape or otherwise, of the premises, vehicle or vessel or any other things in the premises, vehicle or vessel
- Remove any record from the premise, vehicle or vessel for purpose of making copies
- Remove and retain any record, good or other thing that may be required as evidence from the premises, vehicle or vessel.

## Conclusion of inspection

Once the inspection is complete, the inspector will review the results with you, or the manager on duty at the time of the inspection and discuss any non-compliance identified during the inspection. A Certification of Inspection will be prepared by the inspector and a digital copy will be emailed to you as indicated on your licensing file.

## Post Inspection Report and follow up

After returning to the office, the inspector will document the inspection, update your file and, if required, inform other departments within Consumer Protection BC of the inspection results.

The inspector will give you a Post Inspection Report. The report will identify the alleged violations that you must correct and/or the alleged violations that will be recommended for enforcement to the Director. For more information on the enforcement process, please see the section below entitled “Enforcement.”

We may conduct a follow up inspection to ensure that deficiencies noted have been corrected.

## Enforcement

If an inspector detects violations that they believe should proceed to enforcement or a monetary administrative penalty, they will notify you of these alleged contraventions in a Post Inspection Report. The inspector will also prepare a Report to the Director (RD) document for the Manager of Inspections & Case Management. A copy of the RD will also be sent to you. The RD will identify the allegation(s) proceeding to enforcement and the evidence the inspector is relying on to support the allegation(s). You will be given an opportunity to respond to the allegations made in the RD. A decision maker will then decide whether the allegation took place, and whether statutory action such as an administrative penalty, licensing action or other remedial order is appropriate. Note: the decision to impose an administrative penalty is at the discretion of the Director or delegated decision maker.

If you are dissatisfied with the decision, you may apply for a reconsideration of the decision.

Further information on the policies and procedures relating to the calculation of administrative monetary penalties and the reconsideration process can be found by visiting the About us (Our policies) section of our website at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca).

## What will be inspected

Remember that inspectors attend businesses to confirm compliance with the Act, Regulation, and conditions on a licence, however inspectors are also there to educate and answer questions. Please feel free to approach them about any business issues or problems related to the Act or Regulation.

Typically, you can expect that an inspector will do some of the following:

- Review the legislation and the conditions on a licence for any issues that are identified
- Inspect the physical layout of the business
- Inspect legal, financial and other business records
- Observe and record your business practices, identify deficiencies or problem areas that may lead to non-compliance
- Identify any contraventions
- Answer your questions and help you understand your obligations

To find out what an inspector will be reviewing, please read a sample inspection checklist (Appendix). Note: the items on the checklist are not an exhaustive list of the items an inspector may review at inspection.

## Documents and records

You must produce all business records and documents requested by the inspector. Since business records are not always kept on the premises, an inspector may schedule an inspection so you can make sure the records are at the business for the inspection. Sometimes, the inspector may require that you provide additional records at a later date. Refusing to provide records or providing false or misleading information is a serious contravention.

## Appendix – Inspection Checklist

The following are the types of things that the inspector is checking during an inspection of your business. This is not a comprehensive list and not all items on this list are inspected during each inspection.

 <span style="float: right;">Licence #: _____</span> <span style="float: right;">Date of inspection: _____</span>				
Question	CREMATORIUM INSPECTION REPORT	Y	N	N/A
<b>GENERAL FACILITY</b>				
1	Does the crematorium deal with the public?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	<b>BPCPA 31(2)(a)</b> Is the price list displayed in a conspicuous location?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Provide description of licence location: _____			
4	<b>BPCPA 31(2)(b)</b> Is the price list readily available upon request?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	<b>CIFSR 11</b> Is the crematorium using the registered name or dba?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	<b>CIFSR 12(1)</b> Is the business address listed in all directories, advertising and marketing materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	<b>CIFSR 12(2)</b> Has the crematorium declared ownership, in whole or in part, by a public company?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	<b>CIFSA 11(a)</b> Do the operators/funeral director accept or handle container to enclose human remains that is supplied by a person other than the operator/funeral provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	<b>CIFSA 12</b> Are human remains contained in a container that is (a) sufficient strength (b) prevents remains from being a health hazard (c) meets requirements set out in regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	<b>CIFSR 10 (1)</b> Are containers used for cremation combustible and rigid?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11	<b>CIFSR 10 (2)</b> Do any containers contain any of the unallowed materials: fiberglass, foam, Styrofoam, rubber, polyvinyl chloride, or zinc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>CREMATORIUM BYLAWS</b>				
12	<b>CIFSA 39(2)(a)(i)</b> Does the Operator have bylaws respecting the operation, organization and Management of the crematorium?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	<b>CIFSA 39(2)(a)(ii)</b> Are there bylaws respecting the rights, privileges and responsibilities of the operator, persons who attend the crematorium and suppliers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	<b>CIFSA 39(2)(b)</b> Are there other bylaws relating to the crematorium, including bylaws not allowing multiple cremations at the same time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OBLIGATIONS OF THE CREMATORIUM OPERATOR</b>				
15	<b>CIFSR 29(1)</b> Has the operator obtained approval from the Director prior to adding, modifying or replacing an appliance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RECORDED RELATED TO CREMATION</b>				
16	<b>CIFSR 30(1)(a)</b> List the name of the deceased?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	<b>CIFSR 30(1)(b)</b> List the date of cremation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	<b>CIFSR 30(1)(b)</b> Indicate the time the cremation started?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	<b>CIFSR 30(1)(b)</b> Indicate the time the cremation ended?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	<b>CIFSR 30(1)(c)</b> Indicate the name and address of the person who had a kinship with the deceased?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	<b>CIFSR 30(1)(d)</b> Indicate to whom the cremated remains were released?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	<b>CIFSR 30(1)(e)</b> A copy of the written authorization including the address of the person who had the right to control the disposition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23	<b>CIFSR 30(1)(f)</b> Re: Records indicate type of container used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>DISPOSITION OF UNCLAIMED CREMATED REMAINS</b>				
24	Does the operator store unclaimed cremated remains?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

25	Are the cremated remains stored in a secure manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26	<b>CIFSR 8(1)(a)</b> Has the operator disposed of any unclaimed cremated remains?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27	Provide date of last disposition: _____			
28	Did the disposition comply with Section 8(1)&(2)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29	Is the licensee registered on "MyAccount" and did the Inspector review/update the active status at the time of inspection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For more information about your obligations as a licensed business, our processes and our organization, please visit [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca).