

## BACKGROUNDER: FUNERAL SERVICES IN BC

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### OVERVIEW

Consumers making end-of-life choices for their family members can be assured that there are laws in BC regulating funeral services, cemeteries and crematoria. Funeral sector professionals and the services they offer are governed in BC under the [Business Practices and Consumer Protection Act](#), the [Cremation, Interment and Funeral Services Act](#) and the [Cremation, Interment and Funeral Services Regulation](#). This includes the licensing of cemetery and crematorium operators, funeral providers, funeral directors, funeral embalmers and apprentices.

### THE FUNERAL SERVICES LAW IN BC

Consumer Protection BC inspects and enforces the laws and regulations specific to funeral services. The law protects consumers by:

- Requiring detailed contracts of funeral services to be provided
- Requiring proper authorizations are in place prior to funeral services being delivered
- Requiring businesses to meet prescribed facility requirements
- Requiring the respectful handling of human remains

### 2016 - 2018: CREMATION, INTERMENT & FUNERAL SERVICES IN BC BY THE NUMBERS

*\*Please note that all statistics below are all-encompassing for BC's cremation, interment and funeral services sectors.*

#### **Licensed places, activities and occupations:**<sup>1</sup>

- 2016: 702 licensed funeral providers, funeral directors, embalmers, cemetery operators and crematorium operators
- 2017: 1,068 licensed funeral providers, funeral directors, embalmers, cemetery operators and crematorium operators
- 2018: 1,066 licensed funeral providers, funeral directors, embalmers, cemetery operators and crematorium operators

#### **Consumer inquiries:**

- 2016: 368 inquiries about the funeral sector, representing 3% of all calls and emails (10,509). Topics of interest included general inquiries (85% of funeral sector-related inquiries), licence status (7%), and questions regarding preneed contracts (5%).
- 2017: 315 inquiries about the funeral sector, representing 3% of all calls and emails (11,068). Topics of interest included inquiry (27% of funeral sector-related inquiries), about the *Cremation, Interment and Funeral Services Act* in general (16%), and quality of service (6%).

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<sup>1</sup> Does not include non-commercial licensed cemeteries as licences are renewed on a five-year basis, with the last renewal year being 2014. There are usually approximately 400 non-commercial cemeteries licensed with Consumer Protection BC. The number of licences shifted in 2017 to reflect a point-in-time count of licensees with active licences as of December 31, as opposed to prior year numbers that reflected the volume of licences issued and renewed during the year.

- 2018: 279 inquiries about the funeral sector, representing 3% of all calls and emails (11,177). Topics of interest included general inquiry (16% of funeral sector-related inquiries), CIFSA general (11%), and contract cancellation (9%).

#### **Investigations:**

- 2016: For the 20 funeral sector files that concluded with an outcome, voluntary compliance was achieved 50% of the time (10 instances); topics of investigation included errors relating to interment, land use restrictions, moving of remains, deceptive acts and practices, refunds on contract cancellation, contents of at-need contracts, price list of preneed contracts and providing accurate information on funeral services; and enforcement action was taken 50% of the time (10 instances).
- 2017: For the 17 funeral sector files that concluded with an outcome, voluntary compliance was achieved 53% of the time (9 instances); topics of investigation included requirement for authorization before disposition, refund upon preneed cancellation, identification of operator affiliation; and enforcement action was taken 47% of the time (8 instances).
- 2018: For the 11 funeral sector files that concluded with an outcome, voluntary compliance was achieved 45% of the time (5 instances); topics of investigation included preneed funeral services and interment rights contracts, facilities requirements, authorizations for funeral services, compliance with orders; and enforcement action was taken 55% of the time (6 instances).

## **BUSINESS OBLIGATIONS AND CONSUMER RIGHTS**

By law, funeral service providers:

- Must not provide funeral services unless they have received authorization from the person who, under the law, has [the right to control the disposition of the human remains](#).
- Are not allowed to phone consumers or come to a consumers' home to sell funeral arrangements unless invited to do so (and if the consumer decides to do so, the request must be made at least 24 hours in advance).
- Must include specific information in funeral services contracts, including an itemized listing of all goods and services purchased and any other costs involved. With a prepaid funeral contract, consumers have cancellation rights.
- Must display, and provide a clear schedule of rates, if requested.
- Must follow specific provisions for preneed funeral services contracts, including the requirement that prepaid money be held in trust.

## **CONSUMER TIPS**

1. **Check licensing status.** By law, anyone offering funeral services in BC must be licensed. Visit Consumer Protection BC's website to [check a licence](#).
2. **Ask what services are included in the price.** To be an informed consumer, read your contract carefully (keep a signed copy, too) and find out what is included and what is extra. For example, the cost for funeral services often does not include the sale of a cemetery lot, a grave or a memorial marker (such as a headstone, tombstone, monument or plaque).

- 3. Share the details of your wishes.** Let your loved ones know your wishes. If you purchased a preneed cemetery or funeral services contract, share the details with your family and ensure the information is in your will. Remember that under BC's consumer protection laws that you have preneed contract cancellation rights, too.

### ENFORCEMENT ACTIONS

To maintain the integrity of our investigative processes, we do not share detailed information about open files. Visit the [Enforcement Actions section of our website](#) to explore our recent licensing and enforcement actions.

### FOR MORE INFORMATION

Explore [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca) for more information for both consumers and regulated businesses. Additional statistical information is also available in our [annual reports](#). We also share information and consumer tips on [Facebook](#), [Twitter](#) and in [our corporate blog](#).

Have a consumer question or complaint? Contact our information services team, toll free, at 1.888.564.9963 or [info@consumerprotectionbc.ca](mailto:info@consumerprotectionbc.ca).