

The Cemeteries Act, 1999

This Act:

- requires approval by the registrar for the establishment or modification of cemeteries, mausolea and columbaria;
- requires owners to maintain cemeteries in a manner that ensures public safety and is compatible with community standards;
- requires an owner of a commercial cemetery to establish trust funds for the ongoing care and maintenance of the cemetery and to use only the interest to pay for maintenance, and requires new cemeteries (other than municipal cemeteries) to create care and maintenance funds;
- allows municipalities to assume responsibility for abandoned cemeteries and, in the case of neglected cemeteries, to require the owner to maintain them. If an owner fails to maintain the cemetery, the Act provides that the municipality may undertake maintenance and recover the cost from the owner;
- requires cemetery owners to make itemized price lists of their goods and services available to the public;
- requires licensing of commercial cemeteries and trusting of consumer funds, and provides prepaid contract cancellation rights for buyers;
- prohibits certain sales practices, such as solicitations in nursing homes and hospitals, solicitations that appear to be harassment, and false representations that goods or services are required by law when they are not; and
- allows the Minister to appoint a managing administrator of a cemetery where the cemetery owner fails to carry out his or her duties under the Act.