

DIOCESE OF KOOTENAY

This Item File: Replaces
7.6.11 7.6.11
Date: Jan 2023 June 2013

Origin: Diocesan Council
Status: Structure/Procedures
Distribution: All Parishes/Synod Office
Subject: Cemeteries, Columbaria and Memorial Gardens:
Perpetual Care Committee

Introduction

The Synod of the Diocese of Kootenay holds properties which contain places of perpetual care; cemeteries, columbaria, and memorial gardens. These locations of perpetual care for the interment of human remains, cremated remains, or repositories for scattered cremation remains are governed by Canon 12 of the Constitution, Rules of Order, and Canons of the Diocese of Kootenay. Canon 12 specifies that its provisions are governed by civil law under the Cremation, Interment and Funeral Services Act [SBC 2004, Chapter 35].

A Committee is established under this Policy to ensure that the Synod of the Diocese is fully compliant with all aspects of the Act, and that policies and practices are reasonably consistent across the Diocese.

Formation of the Perpetual Care Committee

An initial Committee will consist of four to six selected members from parishes who have cemeteries (graveyards), columbaria or memorial gardens, appointed by the Bishop and confirmed by Diocesan Council. The Diocesan Archivist will be invited to sit as an *ex officio* member. A chairperson will be selected from the members and minutes will be kept. The Executive Officer/Archdeacon and Chancellor will be available as resource consultants.

Reporting

The Perpetual Care Committee will report to Diocesan Council through the Administration & Finance Committee. A written Report is to be submitted quarterly initially, and then as necessary but no less than annually.

Duties and Responsibilities

The Perpetual Care Committee is charged with the following tasks;

1. Develop and maintain an Inventory of all Diocesan Columbaria, Cemeteries, and formally consecrated or dedicated Memorial Gardens. This will include location, names of local Operators, dates of establishment, or disestablishment, if possible. This inventory should include potential abandoned properties, or those which exist as stand-alone away from buildings or improvements.

2. Where practicable, Perpetual Care locations in the Inventory should be photographed and their legal description recorded, if applicable.
3. The Committee will ensure that all Places of Interment continuing to inter human remains, or cremated remains, have valid current Licences from the Business Practices & Consumer Protection Authority of B.C. The Committee will advise/assist Operators if necessary to maintain compliance with the Act. Similarly, all Memorial Gardens will be made known to Diocesan Council and be registered with the Committee as sanctioned by the Bishop and Diocesan Council.
4. The Committee will maintain a repository of originals, or good copies, of all cemetery maps, registers of interment, memorializations or other similar documentation. The Diocesan Archivist will act as an advisor on the appropriate preservation of relevant documents.
5. The Committee will make recommendations to Diocesan Council as necessary with regard to the business practices of the diocesan Operators of Places of Interment. A record of practices including presale procedures, opening fees, interment fees and other charges, resale and re-location practices and charges, will be kept. The Committee will ensure that the assessment of fees by parishes does not contravene the Income Tax Act, in particular with regard to the rules and regulations of the Charities Directorate.
6. The Committee will examine the establishment, accounting, and stewardship of Care Funds as per Part 7 of the Act. The Committee will advise congregations and where necessary the Committee will advise the Council if parishes are not in compliance with the Act.
7. The Committee will prepare and/or gather information resources that assist Parishes in understanding their responsibilities when a Place of Interment or a Memorial Garden is under their supervision.
8. Notwithstanding Canon 12 or local parish policies and practices, at all times the Cremation, Interment and Funeral Services Act [SBC 2004] Chapter 35 shall guide and take precedence in the work of the Perpetual Care Committee.