



# Operation and maintenance guidelines

For cemetery owners and operators

This publication is intended to provide general information only and is not a substitute for legal advice.

This publication is issued under the Open Government Licence – Alberta (<http://open.alberta.ca/licence>).

Operation and Maintenance Guidelines *Cemeteries Act* and Regulations | Service Alberta and Red Tape Reduction

© 2023 Government of Alberta | July 11, 2023 | ISBN 978-1-4601-5842-5



## Contents

• INTRODUCTION	4
• ALTERNATIVES TO BURIALS	9
• CARE AND MAINTENANCE OF A CEMETERY	9
• REGISTRATION AND CONSENT	12
• BURIAL PLOTS	15
• OPERATIONS	17
• DISPOSITION OF REMAINS	19
• PERPETUAL CARE FUNDS	20
• ENFORCEMENT	21
• ALBERTA FUNERAL SERVICES REGULATORY BOARD	23
• CEMETERY COMPANIES	23
• ADDITIONAL RESOURCES	23

---

## INTRODUCTION

### PURPOSE:

These guidelines will reference the [Cemeteries Act](#), the [Cemeteries General Regulation](#), the [Commercial Cemeteries Regulation](#), and the [Cemeteries Exemption Regulation](#).

It has been prepared to provide cemetery owners and operators with general advice and guidance, and to ensure that cemeteries are operated, maintained and cared for in a respectable and consistent manner, in accordance with the requirements set out in legislation. It will also provide options to deal with matters not established as minimum requirements.

Unless otherwise specified, the *Cemeteries Act* applies to every cemetery, crematory, columbarium or mausoleum in Alberta no matter when it was established, laid out, or constructed.

### HOW TO USE THIS GUIDELINE:

Words and terms that are commonly used in relation to cemeteries and in the legislation are defined in the Definitions section, at the beginning of this document.

### DISCLAIMER:

As a guideline on cemetery operations, care and maintenance, this document is intended to provide an overview of the requirements established under the *Cemeteries Act* and regulations. Cemetery owners should refer to the *Cemeteries Act* and regulations to determine their legislative rights and obligations. In every instance, the law as set out in the *Cemeteries Act* governs, where applicable.

**This publication is intended to provide general information only and is not a substitute for legal advice.**

### CONTACT INFORMATION:

The Director of Cemeteries (Director) may be reached via email at [cemeteries@gov.ab.ca](mailto:cemeteries@gov.ab.ca).

You can also visit our website for more information on cemetery registration and licensing <https://www.alberta.ca/cemetery-registration-and-licences.aspx>.

## DEFINITIONS

<b>A</b>	
Authorized trustee	The Public Trustee or a trust corporation or a corporation designated in the regulations.
<b>B</b>	
Burial	The action or practice of interring a dead body or cremated remains.
Burial permit	A permit issued under the <i>Vital Statistics Act</i> to allow burials.
<b>C</b>	
Cemetery	Land that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried.
Cemetery Registry System (CREG)	The record database used by Service Alberta and Red Tape Reduction to track and register cemeteries.
Cemetery services	The supplying of any service to be rendered at a cemetery in respect of any lot or plot or grave stone, grave marker or monument.
Cemetery supplies	Burial vaults, grave stones, grave liners, grave markers, monuments or bases for use in a cemetery.
Certificate of Title	A government-issued certificate of ownership of either surface rights or mineral rights to a certain parcel of land.
Columbarium	A structure designed for storing the ashes of dead human bodies or other human remains that have been cremated.
Columbarium operator	When the columbarium is located in a cemetery, the owner of the cemetery,  When the columbarium is located in a church, the religious auxiliary or religious denomination that operates the columbarium, and  When the columbarium is part of the facilities of a crematory, the owner of the crematory.
Commercial cemetery owner	CGRM Holdings Ltd. / Saamis Prairie View Cemetery  Arbor Memorial Inc.  Heritage Family Funeral Services Ltd. / Calgary Crematorium Ltd.
Crematory	A building fitted with proper appliances for the purposes of incineration or cremation of dead human bodies, and includes everything incidental or ancillary to it.
<b>D</b>	
Director	The Director of Cemeteries.
Disinter	To dig up or open a grave.

Disposition	The method by which a dead body is disposed of. In Alberta, disposition is limited to:  Burial,  Cremation,  Permanent interment in a mausoleum, or  Donation.
<b>E</b>	
Ex parte	Done with only one side only being represented.
<b>F</b>	
Fetus	20 weeks' gestation or weighed 500 grams.
Final Certificate of Approval	The document used to register a cemetery under the <i>Cemeteries Act</i> .
Fiscal Year	The fiscal year of the owner (see Owner).
<b>G</b>	
Grave lot	The portion of land in a cemetery that is to be used for one or more graves.
<b>H</b>	
Habendum Clause	The protective notation registered on the Certificate of Title on land containing a cemetery or human burial, regardless of the number of burials.
<b>I</b>	
Income	The interest or other money earned, including through compounding, by the investment of funds.
Indigents	Impoverished individuals, lacking in sufficient funds to pay for their final disposition.
Inter(ment)	To place a dead body in a grave or tomb (compartment within a mausoleum).
<b>L</b>	
Licence	A licence to operate a crematory or  A pre-need contract sales licence, as the case may be.
<b>M</b>	
Mausoleum	A structure wholly or partly above ground level and designed for the burial or storage of dead human bodies. This does not include a receiving vault for the temporary storage of dead human bodies pending burial, interment or other lawful disposition.
Metes and Bounds	The legal description of a parcel of land that is measured in distances, angles and directions (i.e.: SE 4 19 22 W4).

Minister	The Minister responsible for the <i>Cemeteries Act</i> as determined under section 16 of the <i>Government Organization Act</i> .
Municipality	A city, town, village, municipal district or Metis settlement or, in the case of an improvement district, the Minister responsible for the <i>Municipal Government Act</i> or, in the case of a special area, the Minister responsible for the <i>Special Areas Act</i> .
<b>N</b>	
Newborn infant	An infant under 28 days of age from birth.
<b>O</b>	
Organization	A religious auxiliary, religious denomination or municipality that is permitted by the Act to establish and operate a cemetery, mausoleum or columbarium; or  For established cemeteries, mausoleum or columbarium, the religious auxiliary, religious denomination, municipality or other corporate body operating that cemetery, mausoleum or columbarium.
Owner	A legal entity that owns, controls or manages a cemetery, crematory, columbarium or mausoleum, as the case may be.  This includes the commercial cemetery owners identified in the Commercial Cemeteries Regulation.
<b>P</b>	
Perpetual care	The preservation, improvement, embellishment and maintenance, in perpetuity and in a proper manner, of grave stones, grave markers, monuments, lots, plots, compartments, crypts or other space in a cemetery, or of compartments in a columbarium or mausoleum. Also includes trees, flowers, or other beautification elements within the cemetery.
Perpetual care fund	Funds and property received by the cemetery for the purpose of providing perpetual care for the cemetery, columbarium or mausoleum, or of any particular part of a cemetery, columbarium or mausoleum.
Pre-need assurance fund	Money held in trust. The trust fund (account) that holds monies collected by a cemetery owner when entering into a pre-need contract for cemetery supplies, or cemetery services, or both.
Pre-need contract	A contract providing cemetery supplies or services, or both, where all or part of the cost of the service is paid before the death of the person for whose benefit the contract is entered into.
<b>R</b>	
Regulatory Board	The Alberta Funeral Services Regulatory Board (AFSRB), which is established under section 22 of the Act, section 37 of the General Regulation.
Re-inter	To rebury a dead body, often in a different place than that of the original burial.
Religious auxiliary	A corporation, society, committee or other organization that is sponsored, organized, established or set up by a religious denomination

	and controlled or supervised by, and operated as an instrument or auxiliary of, and in close connection with, that religious denomination.
Religious denomination	An organized society, association or body of religious believers or worshippers professing to believe in the same religious doctrines, dogmas or creed and closely associated or organized for religious worship or discipline or both.
<b>S</b>	
Seller	A person who contracts to sell cemetery supplies or cemetery services, or both, under a pre-need contract.
SPIN II	The Land Titles internet data delivery system, which provides online delivery of registered plans, survey control monument, township and soils data.
Subdivision	To divide a single parcel of land into two or more parcels, making it easier to sell or develop. Each parcel is then given a separate title. The former single piece of land is then known as a subdivision.

## APPLICATION OF LEGISLATION:

The *Cemeteries Act* states that:

a cemetery is land set apart or used as a place for the burial of dead human bodies or other human remains.

the cemeteries legislation applies to every cemetery, crematory, columbarium or mausoleum in Alberta whenever it was established, laid out or constructed, unless an exemption exists under the Cemeteries Exemption Regulation.

only religious auxiliary, religious denomination or municipalities can establish a new cemetery, columbarium or mausoleum.

no person will bury a dead human body in any place other than a registered cemetery.

in order to be a registered cemetery, the cemetery must have a Final Certificate of Approval (FCA) issued by the Director of Cemeteries.

## RESPONSIBILITIES OF CEMETERY OWNERS

The owner of a cemetery is any person who owns, controls or manages a cemetery. At its most basic, cemetery owners are responsible for:

- keeping the cemetery in the manner required by the regulations and in good order and repair; and
- ensuring that all burials within the cemetery are conducted in a decent manner, and for that purpose the cemetery owner may make rules for burials within the cemetery.

Cemetery owners must ensure the cemetery under their care is properly maintained to ensure its dignity and public safety in accordance with the regulations. The owner's responsibilities do not cease if/when a cemetery is no longer in use. Regardless of the status of a cemetery's registration status, it is expected that the cemetery will be cared for and that Alberta's history and final resting places for loved ones are treated with respect and dignity. Care and maintenance provisions are located in the Cemeteries General Regulation, as well as later in this guide.

## INTERMENT

A cemetery owner cannot allow the placement of a body in a mausoleum or the burial of a body in the cemetery unless the funeral director or other person officiating at the burial has provided the cemetery a burial permit for their records. It is the cemetery owner's responsibility to ensure that all burials within the cemetery are conducted in a decent manner, and for that purpose the cemetery owner may make rules for burials within the cemetery. See Bylaws.



A body cannot be cremated unless a burial permit has been issued by Vital Statistics (VS). Information about Death Related permits is available at: [www.alberta.ca/permit-exhume-body.aspx](http://www.alberta.ca/permit-exhume-body.aspx).

For cemeteries that are not owned by a religious denomination or a religious auxiliary, the cemetery owner must allow the performance of the usual religious rights on the interment of the deceased, according to the religious denomination of which the deceased was a member.

### **DISINTERMENT**

No one can disinter or remove a human remains from a cemetery or mausoleum for any purpose unless a disinter/reinter permit has been issued by the Director of Vital Statistics. Information about Death Related permits is available at: [www.alberta.ca/permit-exhume-body.aspx](http://www.alberta.ca/permit-exhume-body.aspx).

### **CONTACT INFORMATION**

It is the responsibility of the cemetery owner or operator to ensure any changes to the name and address of the person responsible for maintaining the cemetery records is kept up to date. The Director can request, and make public, information on how the cemetery owner or its representatives may be contacted for matters pertaining to the operation of the cemetery.

### **ALTERNATIVES TO BURIALS**

Disposition of human remains may only occur once a [Burial / Disposition Permit](#) has been issued by VS.

Laying a loved one to rest is a very personal decision and often must be decided on when people are grieving and stressed. Current approved alternatives to burial include:

- cremation at an approved crematory;
- the use of a shroud or by green burial;
- placing the body in a mausoleum for permanent interment; and
- donation of the body in accordance with the *Human Tissue and Organ Donations Act*.

The type of disposition used will be reflected on the burial permit. Burial permits cannot be backdated. They must be obtained in advance of disposition.

While other jurisdictions may offer other options, such as cryogenics (freezing of the body), alkaline hydrolysis (water cremation) or Natural Organic Reduction (composting), those methods of disposition are not legal in Alberta.

Where a burial is performed, there is no requirement for a casket or coffin to be used. This means that 'green burials' are permitted under the legislation so long as the cemetery owner permits the practice and the rules surrounding depth of burial are followed.

### **CARE AND MAINTENANCE OF A CEMETERY**

It is the responsibility of cemetery owners to maintain the grounds of the cemetery, including all interment space, structures and markers. This will ensure the safety of the public and to preserve the dignity of the cemetery. Cemetery owners cannot charge the consumer to preserve the cemetery beyond what collected for perpetual care at the time of sale. Cemetery owners may use income from perpetual care funds for care and maintenance.

The general rule is that no person is allowed to move or remove any monument, marker, fence, railing or other work that is placed for the protection or ornamentation of a cemetery or grave lot, providing the structure was installed in accordance with the bylaws of the cemetery, if any.

Care of a cemetery requires the cemetery owner to ensure that all fences, walkways and entrances to the cemetery are kept in a good state of repair. It is the responsibility of the cemetery owner to take steps to ensure that no offence is committed in the operation of the cemetery and that no public health nuisance arises from the operation of the cemetery. This may include the construction of fencing and gates or placement of signage.

Examples of basic maintenance activity within a cemetery include:

- Grass-mowing – frequency of mowing can be determined by the cemetery owner or caretaker (if one is appointed). The intent is to ensure the dignity of the cemetery is maintained by ensuring the grounds do not become unsightly.

- Ground clearance and cleaning – ensuring the cemetery is free from any garbage or debris and clearing away any unsightly items left within the cemetery, such as dead flowers. Trimming of trees, bushes and shrubs is also necessary to maintain the dignity of the grounds and to make a safe space for the public to visit.
- Snow-removal – the clearance of roads and pathways to allow access to the cemetery and to ensure the safety of the public.

## **MONUMENTS**

Cemetery owners may remove a monument for necessary repairs so long as it is returned to its original location as soon as possible.

Cemetery owners may direct that a monument or marker be moved to be in line with other monuments or markers within a cemetery, or to facilitate care of the cemetery. Where a monument is moved to be placed in line with others, it must continue to relate directly to the grave for which it was originally erected. If a monument or marker is damaged while being moved by a cemetery owner, the cemetery owner is responsible for that damage.

Example of monument maintenance:

- Monuments that are leaning or toppling must be repaired/restored to an upright position to prevent any risk of injury to visitors of the cemetery. The cemetery owner may contact the family of the deceased to enquire if the family can assist with the cost of the repair. If the family refuses and the monument is unsafe, or if no family can be found, it must be made safe at the cemetery owner's expense.

### **Damaged monuments:**

From time to time, monuments or ornamentation within a cemetery are damaged by:

- cemetery owners during maintenance or the opening/closing of graves;
- monument dealers during installation or engraving of monuments;
- funeral homes during interments, opening/closing; or
- vandalism.

Where damage is caused in the course of operations, the party responsible for the damage is expected to make repairs. If a monument is left in a state of disrepair by the monument owner or if one becomes unsafe, the cemetery owner must:

- take reasonable steps\* to determine that no interested person (including close relatives of the deceased) is prepared to make the repairs, and
- ensure that there is no contract or arrangement in which the cemetery owner agreed to be responsible for the maintenance/repairs.

*\* Reasonable steps include attempting to contact via interested parties/next of kin using each of the contact methods available on file. It may also be reasonable to conduct an internet search, given the popularity of social media which may connect a cemetery owner with a decedent's family.*

After this, the cemetery owner may have the monument in question removed. At that point, it may be disposed of and no person has any claim to it in respect of the material.

## **MAUSOLEA**

For administrative purposes a mausoleum shall be considered part of the cemetery in which it is located.

The owner of a mausoleum, and the owner of a cemetery where a mausoleum is located, are responsible for maintenance and must take reasonable steps to ensure that:

- the mausoleum is maintained in a good state of repair;
- no offence is committed in the operation of the mausoleum;
- no public health nuisance arises from the operation of the mausoleum; and
- that precautions are taken to prevent vandalism and to protect the bodies interred or stored in the mausoleum.

## **COLUMBARIA**

Columbaria may be located in:

- a cemetery;
- a church; or
- a crematory.

Unless the columbarium is located in a cemetery, there are no protections in place respecting the structure or its contents.

The columbarium operator must ensure that the columbarium is:

- maintained in a good state of repair;
- no offence is committed in the operation of the columbarium;
- no public health nuisance arises from the operation of the columbarium; and
- that precautions are taken to prevent vandalism and to protect the cremated remains stored in the columbarium.

If the Director believes that the columbarium is not being properly maintained, the Director may give written direction to the columbarium operator requiring that repairs or modifications be completed within a period specified in the notice. These repairs or modifications must be performed in accordance with the order. Since the legislation compels a columbarium operator to comply with written direction from the Director of Cemeteries, failure to comply can result in charges be laid against them.

**CEMETERY LAYOUT AND GRAVE SIZE**

For cemeteries established after May 8, 1964, the cemetery owner must ensure that the cemetery includes walkways and roadways to ensure reasonable access to all sections of the cemetery, and that grave lots are big enough to permit burials to be carried out. Any new sections that are created for a cemetery, regardless of the age of the original sections of the cemetery, must comply with this standard.

Regardless of when a cemetery was established, all cemetery owners must ensure that grave lots are no less than 1.2 metres (or 3’ feet and 11” inches) in width and 2.8 metres (or 9’ feet and 2” inches) in length.

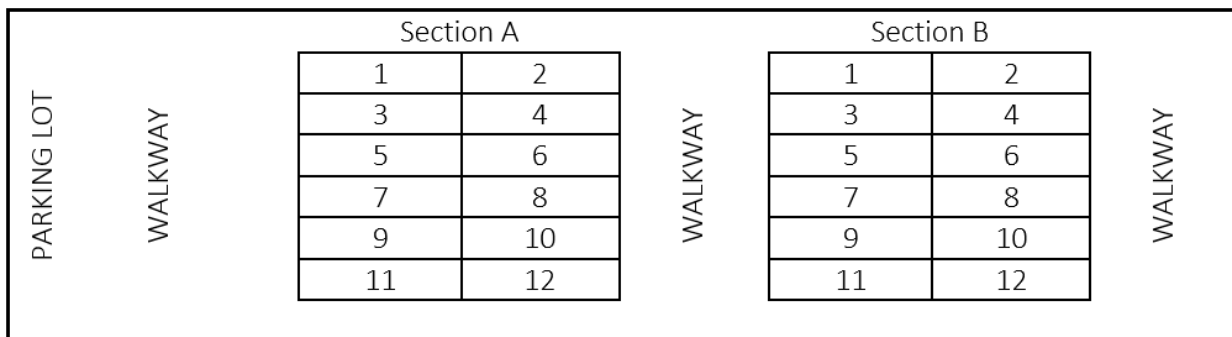
If a section within the cemetery is used exclusively for the burial of children, there are no specific grave dimensions set out in legislation. The cemetery owner must ensure that grave lots are uniform and large enough to accommodate burials in a respectful manner. Similarly, if a section is used solely for the burial of urns, there are no specific grave dimensions set out in legislation.

Graves shall not be placed within 9.1 metres (or 29 feet and 10 inches) of a public highway. For older cemeteries where this may have already occurred, new graves cannot be laid-out within the setback distance.

**DIVISION OF CEMETERY**

Cemetery owners must ensure that graves can be easily located within the cemetery and records are maintained to track graves and burials. Cemetery owners can divide the cemetery into sections or blocks, then number each grave within that section or block. Visible signage must be in place.

For example:



**GRAVES**

- All graves must be dug to a depth so that between the top of the casket and the ground surface level there is a distance of:

- at least 0.6 metres (two feet) if a substantial grave liner is used; or
- at least 0.9 metres (or three feet) if such a grave liner is not used.

Double depth burials are permitted under the legislation. This means that two caskets can be buried horizontally, and one on top of the other, in the same grave space. The rules respecting depth of the burial, as outlined above, apply to the upper most burial.

- There are no requirements set for the space needed between caskets or grave liners (if used).
- There is also no requirement under the legislation that a casket be used.
- Cemetery owners may require caskets in their cemeteries, but they must make this requirement known to purchasers at or before the time of purchase.

The cemetery owner has the authority to decide whether they will permit double depth burials to occur within their cemetery, and cemetery owners can require the use of grave liners. When double depth burials are allowed, the lower burial must be placed at a depth that will not require it to be removed for additional excavation when it is time for the second burial to occur.

If the removal of the first casket is required, then a disinter/reinter permit would be required.

Cemetery owners may also permit the burial of urns on top of graves; however, permission/approval from the grave or plot owner must be obtained.

It is important to note that provisions of Alberta's [Vital Statistics Act](#) (VSA) may be triggered by the use of double depth burials and/or burials of urns on top of existing graves. The VSA sets out the requirements for obtaining a disinter/reinter permit, and those permits are required if/when:

- opening a grave and there is uncertainty if the body is cremated or not;
- burying a body, or an urn with cremated remains, in a grave where there is already a body buried; or
- removing an urn with cremated remains from a grave where there is already a body buried.

The concern arises when digging gets too close to an existing burial, either a casket burial or shroud burial, and whether or not that existing burial will be disturbed in any way. A call to VS should be made prior to an existing grave being opened as disturbance of the existing burial would trigger the need for a disinter/reinter permit. VS may be reached via phone at 780-427-7013 or by email at [vs@gov.ab.ca](mailto:vs@gov.ab.ca).

A disinterred body cannot be reinterred in any place other than a registered cemetery and the reinterment, or reburial, cannot occur without a disinter/reinter permit having been issued by VS prior to the reburial.

## REGISTRATION AND CONSENT

To confirm whether a cemetery is registered in Alberta, you can search the Alberta Land Titles and Surveys Spatial Information System (SPIN2) online as follows:

1. Logging in as a guest using [SPIN](#)
2. Select 'Search'
3. Select 'Cemeteries'
4. Select search criteria you would like to search by
5. Enter requested information and click on 'Search'

Burial of a dead human body in any place other than a registered cemetery is prohibited. In order to be a registered cemetery, a FCA must be issued by the Director of Cemeteries for that cemetery.

## **RESTRICTIONS ON NEW COLUMBARIA, MAUSOLEA AND CEMETERIES**

No one may establish a new cemetery, columbarium or mausoleum unless they are a religious auxiliary, religious denomination or a municipality.

- A FCA is granted to allow for the establishment and use of a cemetery by an eligible owner. Until the FCA is granted, it is illegal to accept burials.

### **FINAL CERTIFICATE OF APPROVAL (FCA)**

Any organization that requests to establish or operate a new cemetery must apply to the Director of Cemeteries to obtain an FCA. Instructions on how to apply for cemetery registration can be found [here](#).

- Final approvals do not expire and cannot be revoked.
- The Director may impose any terms and/or conditions that they consider necessary.
- There is no appeal mechanism when an application is refused.

### **ALTERATION IN THE SIZE OF A CEMETERY**

Any organization that wishes to alter the size of the cemetery must submit an Application for Cemetery Registration and other documentation. Instructions on how to apply to alter the size of a cemetery can be found by contacting [cemeteries@gov.ab.ca](mailto:cemeteries@gov.ab.ca).

In order to flag the presence of a burial or cemetery, the Director will, whenever possible, register a Habendum Clause on the title.

Subdivision will only be granted once the Director is satisfied that the land in question does not contain any burials, pre-sold plots, or is subject to any pre-need cemetery services. This causes the land that is subdivided from the cemetery property to unnecessarily maintain a Habendum Clause. The Director will ensure that unnecessary Habendum Clauses are discharged once subdivisions are complete.

Whether a Certificate of Title contains a Habendum Clause or not is irrelevant. The legislation prohibits any change, transfer or encumbrance to the title for land containing a cemetery unless the Director of Cemeteries has provided consent.

### **SUBDIVIDING REGISTERED CEMETERIES**

When a cemetery owner requests to have land taken away from a registered cemetery, the Director's consent is required before the subdivision can be processed at Land Titles.

Any change to the land described on the Certificate of Title, including a change to the land size, will also require an amendment to the FCA.

Upon receipt of such a request, the Director will require:

- a completed statutory declaration, stating the land to be subdivided does not contain any buried human remains, nor are there any plots or pre-need contracts for cemetery supplies sold for that area; and
- a sketch plan of the proposed cemetery site, including all elements identified under section 14(2) of the General Regulation.

Consent is required even if a cemetery is not registered. This means the owner of a private land containing burial sites also requires consent before any changes to the land title can occur.

Section 18 of the Cemeteries General Regulation states the any alteration of land size of a cemetery requires the cemetery owner to make application as if they were applying for a new cemetery. The Habendum clause will automatically remain on the cemetery land AND be carried over to the subdivided land on its new Certificate of Title.

Once the reduction in land size occurs (the subdivision is processed through Land Titles) and a new title is created, the Habendum clause should be discharged from the title of the non-cemetery land.

## **SUBDIVIDING CEMETERY INFORMATION FILES**

Increase of Land Size - Director's consent is required for any change to the size or boundary of a cemetery or burial site.

When submitting a request to increase the size of a cemetery, owners must provide a site plan of the proposed expansion area that highlights the location of the existing burials in relation to the new land dimensions.

Some owners will contact our department prior to expending the resources for a survey to determine if consent is likely to be granted.

In order for the existing cemetery or burial lands to be consolidated with the new land, consent must be issued. The Habendum clause will automatically carry over to the new title.

## **SUBDIVISION OR REDUCTION OF LAND SIZE**

Where a cemetery is identified on a certificate of title containing a metes and bounds description, it would need to be moved onto a descriptive plan if any changes to the land occur.

- Prior to providing consent, the Director should be assured that there are no graves outside the boundary of the cemetery described on the survey. This assurance should be provided via a statutory declaration.
- The Habendum clause must be removed from the title to the larger title (often the quarter section).

Where a cemetery owner seeks to subdivide/consolidate (add to the cemetery) part of the land the forms part of a cemetery's Certificate of Title, the Director will require:

- a sketch plan of the proposed cemetery site, including all elements identified under section 14(2) of the General Regulation, as listed above.

## **WATER SUPPLY**

The cemetery must ensure there is no contamination of any surrounding water supplies. If at any time there is contamination from the cemetery brought to, or to flow into, any river, spring, well, stream, canal, reservoir, aqueduct, lake, pond or watering place, the cemetery would be guilty of an offence.

In addition to the penalties under the *Cemeteries Act* (See Offences) and in addition to any other remedy existing by law, the party having the right to use the water may also sue the owner of the cemetery for any damage sustained due to the water being contaminated.

If the matter is brought to the Court, and in the action no special damage is alleged or proved, then the Court shall award a sum not exceeding \$250 for each day of the continued contamination starting from 24 hours after the time when the party having the right to use the water notified the cemetery.

## **SECTION 74 CONSENT**

Changes to a Certificate of Title for land containing a cemetery cannot occur without consent from the Director of Cemeteries. At times, persons with interest in the land, such as utility companies, neighbors, etc., may seek to register a caveat, lien or encumbrance against the title.

Without Director's consent, an interested party (a landowner or the registrant) could contest the change, transfer or encumbrance on title. Consent may be refused if the registration will negatively affect the dignity of the cemetery, the public interest or the environment. These requirements apply not only to burial sites, but to columbaria and mausolea as well.

While there is no legislated requirement under the *Cemeteries Act* to place a Habendum clause; it is used as a tool to alert Land Titles Examiners and other interested parties of the presence of a cemetery on the property.

Land that is used for a cemetery, columbarium or mausoleum cannot be sold, transferred, mortgaged, pledged, hypothecated, charged or encumbered by any party without the consent of the Director. The Director may impose conditions as they see fit. Unapproved transactions after April 15, 1974 are considered void.

## **CONSENT FOR OTHER USE**

Cemeteries in Alberta cannot be used for any purpose other than cemeterial use unless the Director of Cemeteries has provided prior approval for another use. Other uses may range from setting aside an area for a maintenance yard, to adding a water feature. If owners are unsure if they require consent, they can contact the Director of Cemeteries.

Approval from the Director will be issued in writing. A discussion with the Director can be initiated by phone, but the formal request and any additional information asked for by the Director, must be provided in writing.

The Director may place terms or conditions on the approval/consent. For example, consent may be granted for the construction of a cellular tower on the condition that construction will not interfere with any funeral services. In order for the approval to remain in force, all terms and conditions must be met by the cemetery owner.

## **MAUSOLEA**

A mausoleum may be constructed and maintained in any cemetery. An organization wishing to establish or operate a mausoleum must apply to the Director of Cemeteries for approval of the mausoleum and its location in the cemetery. Once constructed, a mausoleum is considered to be part of the cemetery in which it is located.

Once an application is received, the Director may inspect the proposed mausoleum site. After considering the application and the results of any inspection carried out, the Director can approve the application or refuse to approve the application if, in the Director's opinion, it is not in the public interest to approve it. There is no mechanism to appeal if an application is refused.

The owner of a mausoleum is required to obtain any permit or approval that may be required by the municipality in respect of the construction or operation of a mausoleum. Owners must also ensure that the mausoleum's placement within the cemetery and that the materials used for its construction will not give rise to any offence or public health nuisance and will provide protection against vandalism to the bodies interred or stored within it.

If an organization wants to alter the size of an existing mausoleum that it operates, they must apply under this section to the Director for approval concerning the proposed alteration.

These restrictions do not apply if a mausoleum or proposed mausoleum contains 12 or fewer compartments or other spaces for interment.

## **COLUMBARIA**

A columbarium can only be located within a cemetery, church, or as part of the facilities of a crematory.

When a columbarium is located in a cemetery it is considered, for administrative purposes, to be part of the cemetery, and the cemetery must maintain the required records.

When constructing columbaria, the columbarium operator must obtain any permit or approval required by the municipality, if there is any such requirement. The columbaria must be constructed in a way and using such materials that it will not give rise to any offence or public health nuisance and must provide protection against vandalism to the cremated remains stored in it.

At the time of the sale or agreement for sale of each compartment or space in the columbarium, the operator must provide the purchaser with a certificate, agreement or other document showing:

- the name of the purchaser;
- the date of the purchase;
- the amount of the sale and terms of payment, if any;
- the amount, if any, to be deposited to the perpetual care fund; and
- the number or other designation of the compartment or space in the columbarium.

## **BURIAL PLOTS**

Burial sites cannot be seized or sold as a result of a judgment of, or applied to the payment of a debt, or passed to the assignee under any bankruptcy or insolvency law. The *Land Titles Act* also does not apply to burial plots, and plots cannot be mortgaged or encumbered. Burial plots are personal property.

Control of a plot is not synonymous with control of disposition. The purchaser of a plot is the recognized owner of the plot and may control what happens with the plot. From there, unless a plot is transferred or left to another person as part of an estate, any dispute relating to control of the plot becomes a civil dispute that must be settled by the parties involved. There are no provisions under the legislation that give authority to the Director to decide on who is in control of a plot.

## **EVIDENCE OF OWNERSHIP**

At the time of the sale or agreement for sale of each grave plot, compartment or space in the cemetery, the cemetery owner must provide the purchaser with a certificate, agreement or other document showing:

- the name of the purchaser;
- the date of the purchase;
- the amount of the sale and terms of payment, if any;
- the amount, if any, to be deposited to the perpetual care fund;
- in the case of a grave lot, its location, its area or dimensions and the number of grave spaces in it; and
- in the case of a mausoleum, the number or other designation for the compartment or space in it.

## **RESALE OF PLOT TO OWNER OF CEMETERY**

If the sales agreement prohibits the resale of plots on the open market and the purchaser of the plot offers to sell the unused plot back to the cemetery, the cemetery must purchase the plot back and pay at least 85 per cent of the market value of the plot at the date of resale. If the sales agreement allows for the resale of plots on the open market, the cemetery is not obligated to buy back the plot.

In the event the sales agreement does allow the resale of the plot on the open market, cemetery owners may want to consider having terms set in the bylaws of the cemetery setting out obligations for the reseller of the plot and the new purchaser to notify the cemetery owner of the sale. This is to avoid issues, delays or confusion at the time of use by the new purchaser, during a time of grieving.

## **PLOTS FOR VETERANS**

The cemetery is required to make plots in the cemetery available to veterans as provided in section 12(3) and (4) as defined in the [War Veterans Allowance Act \(Canada\)](#) and the regulations under that Act. For more information, see Additional Resources.

## **PLOTS FOR INDIGENTS**

When an individual dies who was receiving AISH or Income Supports, or an individual dies who is deemed to be of low income at their time of death, and they or their family cannot afford funeral and burial costs, the Ministry of Seniors, Community and Social Services may be contacted to determine if the cost of burial or other disposition of that person's body can be paid for by government. For more information, they can be contacted at:

Toll free: 1-877-644-9992

Email: [css.ascc@gov.ab.ca](mailto:css.ascc@gov.ab.ca)

Unless a demand for the body of a destitute or indigent person or an unclaimed body is made under the *Human Tissue and Organ Donation Act*, the local authority, hospital, funeral director or other person in charge of the disposition of the body must give notice to the person in charge of a cemetery that they require a plot, and request permission to bury the body in the cemetery.

Cemeteries are required to make plots in the cemetery available for the burial of unclaimed bodies and bodies of destitute or indigent persons. If the cemetery is owned by a religious auxiliary or religious denomination, this only applies if the deceased person was a follower of that religious denomination.

When owners are providing a plot for this purpose, they may only charge for the following:

- to provide the plot, 50 per cent of the amount that would ordinarily be charged;
- for a grave liner, if required by cemetery bylaws, and for digging and backfilling the grave, the amount that would ordinarily be charged.

Cemetery owners may offer a columbarium niche at the discounted rate as well. Any other requirements as set out in the cemetery bylaws would still apply.



## **CRYPTS OR COMPARTMENTS**

When a cemetery contains a mausoleum, an owner may sell or otherwise dispose of crypts or compartments in the mausoleum for the entombment of bodies. The *Land Titles Act* also does not apply to crypts or compartments and these cannot be mortgaged or encumbered.

## **RECOVERY OF INTERMENT SPACE**

If interment space, which is a lot, plot, compartment, crypt or other space for the disposition of human remains in a cemetery, mausoleum or columbarium, is sold, cemetery owners may apply to reacquire the interment space by making an application to the Director of Cemeteries in the following circumstance:

- the interment space is not in use for interment;
- the owner has not heard from the purchaser of the interment space, or from that purchaser's personal representative, for a period of 20 years; and
- the owner has made reasonable efforts to locate the purchaser of the interment space, or that purchaser's personal representative, and has failed.

Cemetery owners should write to the Director at [cemeteries@gov.ab.ca](mailto:cemeteries@gov.ab.ca) to advise that they will be seeking to recover interment space. Instructions on next steps will be provided at that time.

If the interment space is reacquired and the purchaser, or that purchaser's personal representative, then attempts to claim the interment space, owners are required to pay an amount equal to the current market value of the reverted interment space or provide to that purchaser another interment space that is equal in value to the current market value of the reverted interment space.

## **OPERATIONS**

### **RECORD KEEPING / REGISTER**

Cemetery owners must appoint a person to maintain cemetery records as required under the *Cemeteries Act*. These records must include a register for each grave lot, compartment or other space in the cemetery or mausoleum as well as the following:

- date of sale;
- sale price;
- name and address of the purchaser;
- name and address of any person to whom it is transferred and the date of transfer;
- date of each burial or interment in it;
- name of each deceased person buried or interred in it;
- name and address of the personal representative or next of kin of each deceased person;
- name of the funeral director or other person in charge of the funeral of the deceased person;
- amount of any charge made for services rendered and the nature of those services rendered at the time of burial or interment; and
- particulars of each disinterment or removal of a dead human body.

The columbarium operator is required to keep a register of each compartment or space in the columbarium, showing the:

- date of sale;
- sale price;
- name and address of the purchaser;
- name and address of any person to whom it is transferred and the date of transfer;
- date cremated remains were placed inside;
- name of each deceased person whose cremated remains are enclosed;
- name and address of the personal representative or next of kin of each deceased person;
- amount of any charge made for services rendered and the nature of those services rendered at the time of enclosing the cremated remains; and

- particulars of each removal of cremated remains from the compartment.

In addition to the requirements for record reporting to the Director of Cemeteries, cemetery owners must also ensure they are submitting returns to the Director of Vital Statistics in the method, at the appointed times, and containing the required information as set out by that Director. This requirement can be found under section 35 of the *Cemeteries Act* General Regulation.

Where cremated remains are interred away from any existing grave lot or plot, the burial, unearthing or reburial of cremated remains does not require a permit. However, record keeping is still required. See Columbaria for more information.

If a cemetery owner has not maintained records, or records were not transferred when they assumed ownership of the site, the owner should take reasonable steps to create a record based on what is present in the cemetery. The drafting of a plot plan and the recording of names of the deceased can be made by surveying the cemetery grounds and the monuments/markers in place therein.

Where a cemetery owner cannot confirm whether a section of the cemetery is in use, they cannot allow interments to occur as there is a risk that they will disturb an existing grave. Those areas should be marked off on the plot map and a record created in the register to ensure that the plots are not sold or used.

### **ACCESS TO THE REGISTER**

This register must be kept safe and be made available for inspection by the Director or a person designated in writing by the Director, any police officer carrying out law enforcement duties, or any relative of a deceased person whose cremated remains are contained in the columbarium, or whose burial or interment is listed in the register.

### **MAINTAINING OF PLANS**

A cemetery owner must keep a cemetery plan that reflects the layout and division of the cemetery. The cemetery plan must contain a visual representation of how the cemetery is divided by roadways and walkways, the location of the blocks or sections within the cemetery, and the location of the grave lots within those blocks or sections.

For older cemeteries where records may not have been kept or have been lost, a cemetery owner must ensure that plans are created for the cemetery and that older areas are accounted for to the best of the owner's ability. If an owner is unsure of whether a grave space exists, that area cannot be used for future interments. Cemetery owners may choose to conduct probing or other non-invasive investigation of older areas within their cemetery. Without definitive proof that an area is free and clear of existing burials, that area should be marked off on the cemetery plan as being unusable. When an area is marked as unusable, plots cannot be sold in that area and burials cannot be conducted.

### **BYLAWS**

Cemetery owners may establish rules for their cemetery to aid in ensuring that all burials within the cemetery are conducted in a decent manner. This means that cemetery owners can make whatever rules they feel are necessary for the administration, operation and care and maintenance of their cemetery.

Bylaws:

- **cannot** contradict the legislation; and
- **must** be disclosed to purchasers whenever a supply or service is sold/provided.

Bylaws cannot be retroactive. The rules that were in place at the time a person buys a supply or service from the cemetery owner will apply to that contract going forward. The onus is on the cemetery owner to ensure bylaws are disclosed to a purchaser at the time of purchase. An individual may base their decision to purchase on the contents of the bylaws.

Bylaws often include (but are not limited to):

- interments – double depths, cremation plots on top of existing graves, use of liners;
- monuments – damage and vandalism, dimensions, foundations and materials;
- resale of plots – whether cemetery owners will allow resale on the open market, what disclosures must be made to the cemetery owner if a plot is resold on the open market;
- operations – visiting hours, movement of monuments, snow removal, clean-up, adornment of graves; and/or

- contracts – plot ownership, transfers, cancellation/refunds.

## MANAGEMENT AGREEMENTS

Where an owner is not in a position to operate, care for and maintain their cemetery directly, they may choose to enter into a management agreement with another party that is willing to undertake those obligations on their behalf. Where a management agreement is used, a copy of that agreement must be provided to the Director of Cemeteries, along with an Application for Registration of Cemetery form and Contact Information form. This will ensure that the cemetery record is up-to-date and accurate.

It is important to reiterate the definition of owner under the cemeteries legislation. Owner means a person who owns, controls or manages a cemetery, crematory, columbarium or mausoleum, as the case may be. This means that any party acting on behalf of the registered owner of the cemetery land is also considered to be the owner for the purposes of the legislation. Regardless of whether a management agreement is in place, if mismanagement of the cemetery occurs, both the registered owner and the operator may be held accountable.

Management agreements can delineate the responsibilities of the landowner and the ‘caretaker’ or operator and may be as permissive as the parties are willing to agree to. Agreements should be formalized in writing. Where a written agreement does not exist, cemetery owners are encouraged to enter into a written agreement with whichever group is actively caring for the cemetery.

Where a local community group, historical society, etc. is taking care of a cemetery on behalf of an owner, they may qualify for grants from Alberta Culture or from the municipality in which the cemetery is located.

## DISPOSITION OF REMAINS

### CONTROL OF DISPOSITION

Definitions specific to control of disposition:

- “living with the deceased” includes situations where the deceased resided in a care facility for health reasons and the spouse or adult interdependent partner continued to provide the usual support customarily associated with couples intending to continue a relationship; or where the deceased and the spouse or adult interdependent partner were living apart at the time of death due only to circumstances other than a breakdown of their relationship.
- “parent” means, if the deceased is a minor, the parent who had legal custody of the deceased at the time of death.
- 

Subject to the order of the Court, a cemetery owner must recognize a person’s right to control the disposition of those remains in the following order of priority:

1. The personal representative designated in the will of the deceased;
2. The spouse or adult interdependent partner of the deceased if the spouse or adult interdependent partner was living with the deceased (as defined at the beginning of this section) at the time of death;
3. An adult child of the deceased;
4. A parent (as defined at the beginning of this section) of the deceased;
5. A guardian of the deceased under the *Adult Guardianship and Trusteeship Act* or, if the deceased is a minor, under the *Child, Youth and Family Enhancement Act* or the *Family Law Act*;
6. An adult grandchild of the deceased;
7. An adult brother or sister of the deceased;
8. An adult nephew or niece of the deceased;
9. An adult next of kin of the deceased determined on the basis provided by sections 67 and 68 of the *Wills and Succession Act*;
10. The public trustee;
11. An adult person having some relationship with the deceased not based on blood ties or affinity;
12. The Minister of Seniors, Community and Social Services.

For numbers three to six, if the right to control the disposition of human remains or cremated remains passes to persons of equal rank, in the absence of an agreement between or among them, the order of priority begins with the eldest person in that rank and descends in order of age.

If the person who has the right to control the disposition of human remains or cremated remains is not available or is unwilling to give instructions, that right passes to the next available qualified person.

### **DISPUTES RELATING TO CONTROL OF DISPOSITION**

If the owner of a cemetery is faced with a dispute among a deceased's family, friends or next of kin that is not resolved by the order of precedence outlined above, the matter becomes a civil dispute.

### **WHEN PERMITS ARE REQUIRED FOLLOWING THE DEATH OF A FETUS OR NEWBORN**

#### **DEATH OF A FETUS**

In the event of the death of a fetus, the remains do not have to be interred in a cemetery, nor are the remains required to meet one of the alternatives to burial. Their final disposition is subject to the parents' or guardians' request but cannot cause a public offence. A burial permit must be obtained prior to any disposition of the remains where the fetus completed 20 weeks' gestation or weighed 500 grams or more. If the fetus completed less than 20 weeks gestation or weighed less than 500 grams, then a burial permit is not required.

#### **DEATH OF NEWBORN INFANT**

In the case of the death of a newborn, the remains are not required to be interred in a cemetery, nor are the remains required to meet one of the alternatives to burial options. Their final disposition is subject to the parents' or guardians' request but cannot cause a public offence. A burial permit must be obtained prior to any disposition of the remains.

#### **DEATH OF FETUS OR NEWBORN INFANT IN HOSPITAL**

In the event of the death of a fetus or a newborn infant in a hospital, the hospital will coordinate the final disposition of the remains by burial, or using one of the alternative to burial options, subject to the parents' or guardians' request. The final disposition cannot cause a public offence, and the hospital must obtain the burial permit prior to disposition.

The Royal Alexandra Hospital in Edmonton administers a Perinatal Bereavement Program and provides support for families that have experienced the loss of a pregnancy/baby through miscarriage, ectopic pregnancy, medical induction, stillbirth or newborn death. For more information, please refer to Additional Resources.

### **SCATTERING ASHES**

The scattering of cremated remains in Alberta may occur on lands regulated by the province of Alberta (public land), including within public waters, in accordance with Environment and Protected Areas' [Scattering of Cremated Remains in Alberta \(Guidelines\)](#), and with provincial laws and regulations governing these areas, including the *Public Lands Act*, the Public Lands Administrative Regulation, the *Water Act* and the Water Regulations.

Where distribution of cremated remains on vacant public land is undertaken according to Environment and Protected Areas' [Scattering of Cremated Remains in Alberta \(Guidelines\)](#), no permission is required. If distribution will occur on public land under disposition, permission for access to this land through the disposition holder should be sought.

There may be additional requirements in areas of Alberta regulated by Environment and Protected Areas.

Please contact [Environment and Protected Areas](#) for information on permits, group size restrictions and other requirements for Special Events.

For information on scattering ashes in a National Park, please contact [Parks Canada](#).

When scattering ashes within municipal or privately held lands, you must obtain permission from the land owner for access and for scattering of the cremated remains.

### **PERPETUAL CARE FUNDS**

If a cemetery owner is a municipality, a religious denomination or a religious auxiliary the following may not apply.

When an item is sold and situated to mark the presence of a grave or scattering space, or that item marks the life of a person who has passed, perpetual care must be collected and set aside in trust, in accordance with the Act and regulations.

When entering into a contract for the sale of a lot, plot, compartment, crypt or other space in a cemetery, columbarium or mausoleum, at least 15 per cent of all money must be paid to the [authorized trustee](#) into the perpetual care fund. On the sale of a grave stone, grave marker or monument, at least 10 per cent of the total cost of the sale of each monument or marker must be paid to the authorized trustee into the perpetual care fund.

The money set aside from these sales must be paid to the authorized trustee on a monthly basis. These funds form a trust for the care and maintenance of the cemetery.

Income from the trust does not include any deposits made into it. The authorized trustee cannot pay more than 90 per cent of the monthly income from a trust to the cemetery, mausoleum or for the previous month in which the payment was made.

Authorized trustees must add the balance of the total annual income of the trust to the capital of the trust after any payments and deductions at the end of each fiscal year. This amount must not be less than 10 per cent of the total annual income from the trust.

### **NON-APPLICATION**

In most cases, perpetual care requirements do not apply to cemeteries, columbaria or mausolea that are owned and operated by a religious denomination, religious auxiliary or a municipality.

### **MINIMUM FUNDS**

For each cemetery, columbarium or mausoleum, owners must maintain a perpetual care fund consisting of no less than:

- \$10,000 per hectare of the cemetery to a maximum amount of \$100,000; and
- \$50,000 for a mausoleum or columbarium.

Where an owner purchases an existing cemetery, the Director may increase, reduce or waive their obligations for perpetual care as they see fit.

### **REPORTING**

Owners of a cemetery, columbarium or mausoleum are required to submit information relating to each perpetual care fund within 120 days of the end of the fiscal year, or a longer period if the Director considers it acceptable. The required forms may be found [here](#) and include the Statement of Perpetual Care Fund and Accountant's Report on Perpetual Care Fund.

Owners must also provide the authorized trustee any information with respect to perpetual care funds that they may require.

In addition to all obligations under the *Cemeteries Act*, the requirements under law, either statutory or otherwise, apply to both the owner and the trustee with the care and handling of the perpetual care funds or property in the trustee's hands for charitable purposes.

### **GENERAL REPORTING**

If required by the Director, owners must:

- provide full and complete information on any matter concerning to the ownership, financial affairs or operation of the cemetery, columbarium or mausoleum; and
- keep and maintain at its principal place of business in Alberta the books and records relating to the cemetery, columbarium or mausoleum.

### **ENFORCEMENT**

The Director of Cemeteries is appointed by the Minister of Service Alberta and Red Tape Reduction and may delegate, in writing, to any person under the Minister's administration any power, duty or function conferred or imposed on the Director.

The Director is authorized to receive applications for:

- cemetery registrations and
- licences.

The Director may also take administrative/enforcement action.

## **DIRECTOR'S ABILITY TO DISCLOSE INFORMATION**

The Director can disclose any information relating to the refusal, cancellation or suspension of a licence issued under the Act, or any disciplinary action taken under the Act

## **COMPLAINTS**

A person may file a complaint with the Consumer Investigations Unit of Service Alberta and Red Tape Reduction if they believe any provision under the cemeteries legislation has been contravened. Information on how to file a complaint can be found by visiting <https://www.alberta.ca/file-consumer-complaint.aspx>.

## **SEIZURE OF RECORDS**

An investigator may seize and take possession of any books, documents, papers, correspondence or records with respect to the claim being investigated. Items seized will be returned.

Where the Director, or an Investigator, is seeking the person holding the books, documents, papers, correspondence or records for the cemetery must provide them.

## **ADMINISTRATIVE ACTIONS**

The investigator has, for the purposes of the investigation, all the powers of a commissioner under the [Public Inquiries Act](#).

### Director's Orders

If the Director believes that the *Cemeteries Act* or regulations have been contravened, the Director may issue a Director's Order against the cemetery owner or salesperson. This order may compel the owner/salesperson to stop engaging in the practice specified in the order, as well as providing a timeline or any other measures deemed by the Director to be necessary to ensure compliance with the Act and its regulations.

### Settlement

A settlement is when both parties agree to a compromise and end an investigation under the condition that there is an admission of wrong-doing, and, in the Director's opinion, it is in the public interest to do so. The settlement agreement would be subject to any terms and conditions that the Director considers appropriate, including payment of all or part of the investigation costs by the respondent.

## **OFFENCES**

A party who breaches the *Cemeteries Act* or the regulations is guilty of an offence. Upon investigation, that party may be liable for:

- a fine of \$500, to a maximum of \$100,000, or an amount equal to three times the amount obtained by the party as a result of the offence, whichever is greater; or
- imprisonment for no more than two years, or imprisonment with a fine.

Each day the offence continues is considered a separate offence; however, the total term of imprisonment that may be imposed on the party with respect to the breach cannot exceed two years.

When a corporation is at fault, every principal, director, manager, employee or agent of the corporation who authorized, agreed, complied with or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

If a partner in a partnership is at fault, each partner in that partnership who authorized, agreed, complied with or participated in the act or omission that constitutes the offence is guilty of the offence.

In addition to any contravention of the Act or regulations, a person is guilty of an offence if they:

- deliberately destroy, mutilate, deface, injure or remove a tomb, monument, grave stone or other structure placed in a cemetery, or a fence, railing or other work for protection or ornament of a cemetery or of a tomb, monument, grave stone or other structure or a cemetery lot within a cemetery;
- deliberately destroy, cut, break or injure any tree, shrub or plant in a cemetery;
- discharge firearms in a cemetery, except at a military funeral;
- deliberately and unlawfully disturb people assembled for the purpose of burying a body in a cemetery; or

- cause a nuisance in a cemetery.

## ALBERTA FUNERAL SERVICES REGULATORY BOARD

The Alberta Funeral Services Regulatory Board (AFSRB) is designated as the regulatory board under the *Funeral Services Act* and its members are delegated by the Director. They are responsible for licensing and regulating the funeral service industry in order to protect consumers. This is achieved by establishing licensing requirements, minimum standards for licensees, and providing education and training to meet licensing requirements and minimum standards. The AFSRB works to ensure that both licensees and consumers understand their rights and obligations.

Website: <https://afsrb.ab.ca/>

Email: [office@afsrb.ca](mailto:office@afsrb.ca)

Phone: 780-452-6130

Toll-free: 1-800-563-4652

### CREMATORIES

Crematories are regulated by the AFSRB. If there is an issue with a crematory, all inquiries should be directed to the AFSRB.

### LICENCE AND OPERATION OF A CREMATORY

For licensing forms and operational requirements, please contact [AFSRB](#).

### UNCLAIMED REMAINS

Questions involving unclaimed cremated remains should be directed to the AFSRB.

### CEMETERY COMPANIES

A cemetery company is a corporation that owns a cemetery and is incorporated under either the [Companies Act](#), the [Cemetery Companies Act](#), or the [Business Corporations Act](#). Questions respecting the administrative and governance of a cemetery company can be directed to Corporate Registry.

Phone: 780-427-7013

Email: [cr@gov.ab.ca](mailto:cr@gov.ab.ca)

## ADDITIONAL RESOURCES

### ALBERTA LAND TITLES

SPIN 2 is a free application available to anyone needing to view or purchase Government of Alberta land related information or data products.

SPIN2: <https://alta.registries.gov.ab.ca/spinii/logon.aspx>

Website: <https://www.alberta.ca/land-titles.aspx>

Emails:

- Edmonton Land Titles Registrations: [lto@gov.ab.ca](mailto:lto@gov.ab.ca)
- Calgary Land Titles Registrations: [ltos@gov.ab.ca](mailto:ltos@gov.ab.ca)
- Edmonton Surveys: [surveys.edmonton@gov.ab.ca](mailto:surveys.edmonton@gov.ab.ca)
- Calgary Surveys: [calgary.surveys@gov.ab.ca](mailto:calgary.surveys@gov.ab.ca)
- Foreign Ownership of Land: [sa.folaoffice@gov.ab.ca](mailto:sa.folaoffice@gov.ab.ca)

Edmonton (Ponoka North): 780-427-2742

Calgary (Red Deer South): 403-297-6511

### ASSISTANCE FOR FUNERAL COST FOR RECIPIENTS OF AISH OR INCOME SUPPORTS

Ministry of Seniors, Community and Social Services

Toll free: 1-877-644-9992

Email: [css.ascc@gov.ab.ca](mailto:css.ascc@gov.ab.ca)

## **CORPORATE REGISTRIES**

Provides information on establishing or amending any information pertaining to a business registration, incorporation or registered religious society.

Contact information:

Phone: 780-427-7013

Email: [cr@gov.ab.ca](mailto:cr@gov.ab.ca)

## **FUNERAL COSTS FOR VICTIMS OF CRIMES**

Families of homicide victims can be reimbursed for funeral expenses and get immediate access to grief counselling. For more information, please visit: <https://www.alberta.ca/funeral-expense-and-grief-counselling-support.aspx>

## **GOVERNMENT OF CANADA RESOURCES FOR VETERANS**

### War Veterans Allowance

Website: [War Veterans Allowance - Veterans Affairs Canada](#)

Email: [information@veterans.gc.ca](mailto:information@veterans.gc.ca)

Phone: 1-866-522-2122

### Funeral and Burial Assistance

Website: [Funeral and burial assistance - Veterans Affairs Canada](#)

Email: [information@veterans.gc.ca](mailto:information@veterans.gc.ca)

Phone: 1-800-465-7113

### Grave Marker Maintenance

Website: [Grave marker maintenance - Veterans Affairs Canada](#)

Email: [mc@veterans.gc.ca](mailto:mc@veterans.gc.ca)

Phone: 1-866-522-2122

### Canadian Virtual War Memorial

Website: [The Canadian Virtual War Memorial \(CVWM\) - Memorials - Remembrance - Veterans Affairs Canada](#)

### VAC Assistance Service

Website: [Talk to a mental health professional - Veterans Affairs Canada](#)

Phone: 1-800-268-7708

Available 24/7 to Veterans, former RCMP members, their family members, and caregivers.

## **OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS**

Website: <https://www.alberta.ca/financial-institutions.aspx>

Email: [FIPolicy@gov.ab.ca](mailto:FIPolicy@gov.ab.ca)

Phone: 780-644-5006

## **PERINATAL BEREAVEMENT PROGRAM**

The Royal Alexandra Hospital in Edmonton administers a Perinatal Bereavement Program and provides support for families that have experienced the loss of a pregnancy/baby through miscarriage, ectopic pregnancy, medical induction, stillbirth or newborn death. For more information, please visit their [website](#).

## **VITAL STATISTICS**

For information on birth, marriage or certificates or disinter/reinter permits, please contact VS.

Contact information:

Phone: 780-427-7013

Email: [vs@gov.ab.ca](mailto:vs@gov.ab.ca)