



Compensation Fund Committee Terms of Reference (Last updated June 2020)

1. Mandate

The Compensation Fund Committee's mandate is to manage the affairs of the Funeral Services Compensation Fund ("the Fund") established by section 61 of the Act.

2. Membership

The Compensation Fund Committee will consist of at least five members, comprised of:

- three members of the Board of Directors, two of whom are not licensed class 1 or 2 Funeral Establishment Operator(s), Transfer Service Operator(s), Funeral Director(s), a Funeral Sales Representative or a Funeral Preplanner; and
- a minimum of two members who are representatives of the consumer interest and but who are not:
 - members or past members of the Board of Directors;
 - licensees or past licensees under the Act;
 - Shareholders, officers, directors, partners or employees of a licensed or previously licensed operator.

The Chair of the Committee shall be selected by the members of the Committee.

3. Terms of Service

Committee members are appointed by the Board of Directors for a one year term, to a maximum of three years.

Each committee member has one vote. Where there is a tied vote, the Chair of the Compensation Fund Committee will cast the deciding vote.

4. Roles and Responsibilities

The Compensation Fund Committee is responsible for:

- ensuring compliance with the Act and its Regulations respecting the Fund;
- determining eligibility of claims for compensation from the Fund;

- exercising discretion in determining which documents must be received from claimants and participants, regarding their respective eligible claims and prospective obligations to the Fund;
- notifying participants of their failure to meet obligations or liabilities to the Fund;
- appointing and communicating with the Trustee;
- identifying long term investment goals for the Fund;
- ensuring that the Trustee reports regularly to the Committee and the Board of Directors; and
- managing and reporting the affairs of the Fund to the Minister and the Board of Directors.

5. Meetings

The Committee shall meet at least twice a year or at the call of the Committee Chair.

Meetings may be held in person, by teleconference or other such communication method that allows all participants equal access to communicate with one another.

A quorum of the majority of Compensation Fund Committee members is required for executing the business of the committee.

6. Communications Protocol

Unless approved by the Board of Directors, members of the Compensation Fund Committee will not communicate the activities or decisions of the Compensation Fund Committee publicly.

The Compensation Fund Committee may conduct in-camera sessions during their meetings to discuss confidential matters.

7. Access to Bereavement Authority of Ontario Staff Resources

The Compensation Fund Committee will be supported by one or more designated BAO staff members.

8. Expenses

Expenses incurred by the Compensation Fund Committee will be reimbursed according to the BAO's Expense Policy and Board Remuneration Policy.

Financial expenditures required by the committee require pre-approval by the Board.

9. Amendment, Modification or Variation

This Terms of Reference may be amended, varied or modified by agreement of the Board of Directors.

Best efforts will be made to review this Terms of Reference on an annual basis, at the first committee meeting of each year.