

Report on the Care and Maintenance Trust Fund/Account – Form 2 Reference Sheet

Unless exempted from care and maintenance fund requirements, every cemetery operator who sells, assigns or transfers interment rights or scatterings, or who permits the interment of human remains or the scattering of cremated human remains in the cemetery shall have a care and maintenance (C&M) fund or, if permitted by the regulations, a care and maintenance account.

Form 2 must be completed for each C&M fund or account held by the cemetery (including, but not limited to investments such as GICs).

Form 2 is due within 3 months of the operator’s fiscal year end. When you submit your Form 2, make sure you include the following:

- Form 2 completed and signed (2 signatures are required, except if there is only one officer/director/board member)
- Care and Maintenance Trustee/Bank/Investment Statements for the entire 12-month reporting period

Note: Fiscal year end – completion of one calendar year or 12-month accounting period other than calendar year.

Audit Report:

An audited financial statement for the C&M Fund must ALSO be submitted within 6 months of the operator’s fiscal year end **if**:

- C&M in total exceeds \$500,000 or
- The cemetery operator operates a funeral establishment on one or more of its cemetery properties.

Care and Maintenance Contribution Requirements:

Care and maintenance contributions must be paid/deposited to the trustee or financial institution that holds your trust funds, within 60 days of receipt. Do **NOT** send any care and maintenance contributions to the BAO.

The “selling price” below means the price payable by the purchaser, excluding taxes, for the interment/scattering rights (often referred to as “lots,” “niches,” and “crypts”). The required C&M contribution amount should be built into the price. For example, for an interment right priced at \$1000, the contribution amount is \$400. The remaining \$600 is operating income for the cemetery.

Chart I – C&M Requirements for Interment & Scattering rights	
Type of Interment or Scattering Right	Required C&M contribution amount
In-ground grave (2.23m ² /24ft ² or larger)	40% of selling price or \$250, whichever is greater
In-ground grave (smaller than 2.23m ² /24ft ²)	40% of selling price or \$150, whichever is greater
Crypt	20% of selling price or \$500, whichever is greater
Niche	15% of selling price or \$100, whichever is greater
Scattering Ground (single scattering holder)	40% of selling price or \$100, whichever is greater
Scattering Ground (multiple scattering rights holders)	15% of selling price or \$25, whichever is greater
Scattering Ground (no scattering right holders)	\$25 per scattering

Chart II – C&M Requirements for Marker Installations	
Marker Size/Type	Required C&M contribution amount
Flat Marker (smaller than 1,116.13cm ² /14.42ft)	\$0
Flat Marker (1.116.13cm ² /14.42ft or larger)	\$50
Upright Marker (1.22m/4ft or less in height and 1.22m/4ft or less in length, including the base)	\$100
Upright Marker (more than 1.22m/4ft or less in height and 1.22m/4ft, including the base)	\$200

→ [Click here to link to the BAO's care and maintenance calculator.](#)

How to complete your Form 2:

1. Total amount* at the end of the previous fiscal year (e.g., December 31, 2020) **EQUALS** the Total amount* at the beginning of your next fiscal year (e.g., January 1, 2021).

*Total amount **EQUALS** Total tax cost/book value of assets/investment (C&M monies) **PLUS** any cash remaining in your capital account for future investment.
2. **ADD (If applicable):** any C&M contributions collected in the previous reporting period, but not deposited until the current reporting period.
3. **ADD** C&M contributions collected through interment/scattering right sales during the reporting period. For C&M contribution requirements, please refer to [Chart I](#) above or visit the BAO website for our [care and maintenance calculator](#).
 - i) Non-instalment sales (These are interment/scattering right sales that were paid for in one lump sum/upfront.)
 1. Number of Interment/scattering rights sold or assigned: this is the total number of interment/scattering rights sold or assigned/transferred during the reporting period.
 2. Total amount of Sales (\$): this is the total dollar amount of sales made during the reporting period, based on the prices payable by purchasers. (Prices include the required C&M contribution amount)
 3. Total C&M Contributions (\$): this is the total amount of required C&M Contributions for interment/scattering right sales made during the reporting period. Please refer to [Chart I](#) above for details.
 - ii) Instalment sales (These are interment/scattering sales that were paid for by multiple (2 or more) instalment payments over a period of time.)
 4. Total instalment payments (\$): This is the total amount of instalment sales monies collected for interment/scattering rights during the reporting period.
 5. Total C&M contributions for instalment payments (\$): this is the total amount of required C&M contributions for instalment sales monies collected during the reporting period.

4. **ADD** C&M contributions for all marker installations during the reporting period. Please refer to [Chart II](#) above for details.
5. **ADD** additional C&M contributions as a result of resale of interment/scattering rights.
6. **ADD** additional C&M contributions* as a result of the exemption of property tax. Religious and municipal cemetery operators (that are exempt from paying property tax) conducting bereavement-related activities other than interments or scatterings, are required to make a payment into their care and maintenance fund equivalent to the property tax that would be otherwise payable.

* This does not replace the care and maintenance contributions required from the sale of interment/scattering rights and marker installations.
7. **ADD** additional C&M contributions as a result of bequests, donations, reinvested income etc.
8. **ADD** realized capital gains/losses resulting from the sale of investments/assets in the trust fund.
 - Realized capital gains – occur when you sell an investment/asset for more than you paid for it.
 - Realized capital losses – occur when you sell an investment/asset for less than you paid for it.
 - Please contact your trustee/ financial institution that holds your C&M trust funds for a statement or the amount of your realized capital gains/losses.
9. **SUBTRACT** (If applicable): total C&M contributions collected but not yet deposited into your trust fund/account at the end of your fiscal year. Please provide the date(s) when funds were sent after your fiscal year end.
10. **Ending balance:** This is the sum of lines 1 to 9. Verify your records and calculations to ensure your reported ending balance is equal to the ending balance on your trustee statement (Total tax cost/book value of assets/investments (C&M monies) and/or your audit report (if applicable), **plus** any cash (C&M contributions yet to be invested) remaining in the capital account at your fiscal year end (if applicable).

Additional information:

- When reporting total C&M interest income received during your fiscal year (including municipal grants), do not include any trustee/banking fees paid.
- When reporting total expenses paid for the upkeep of the cemetery in your reporting period, do not include any expenses that are not directly related to cemetery maintenance, e.g., the salary of an office manager.
- Interest income earned from the investment of C&M contributions must only be used to stabilize, maintain, secure, and preserve the cemetery and the markers installed in it.
- Any unused interest income not withdrawn within a reasonable time (i.e. within one year) becomes part of the capital and cannot be released in the future.
- **Use/withdrawal of capital (including but not limited to: realized capital gains, return of capital, reinvested income) without the written consent from the BAO's Registrar is strictly prohibited.**