

Cemetery, Crematorium, and Municipal Advisory Committee Terms of Reference

(Last revised/updated September 2024)

Overview:

These Terms of Reference (the TOR) set out the purpose, mandate, and scope of work of the Cemetery, Crematorium, and Municipal Advisory Committee (the Committee).

1. Purpose

- The Committee will provide advice to the CEO/Registrar and the Bereavement Authority of Ontario (BAO) Board of Directors (the Board) on matters relating to the regulation of cemetery and crematorium services in the province of Ontario.
- The Committee will provide for open communication between stakeholders from the cemetery and crematorium sectors, consumers, and the Board.
- The committee will bring together members that reflect the views and concerns of cemetery and crematorium operators.

2. Membership

- The Committee will be comprised of a maximum of nine (9) members. Best efforts will be made to appoint:
 - Six (6) members that reflect the views and concerns of cemetery operators;
 - Two (2) members that reflect the views and concerns of crematorium operators; and
 - One (1) consumer representative.
- The Board will review the qualifications of all Committee members and select one Committee member to sit as the next Chair of the Committee. This individual will also sit as a voting member of the Board.

3. Eligibility

- Members (excluding the consumer representative) must be licensed or employed by a licensee in good standing, or demonstrate significant experience, knowledge or qualifications in the sector;
- Members cannot sit on more than one BAO Advisory Committee at a time;
- No more than one (1) member can represent a single corporation or entity;
- Members must reside in the province of Ontario;

- Best efforts will be made to appoint members that are representative of Ontario’s diverse geographical regions;
- Best efforts will be made to appoint individuals that are representative of Ontario’s various cemetery and crematorium ownership compositions including municipal, religious, trustee/volunteer board, commercial, non-share corporation, and crown; and
- The Committee shall be based on the following criteria:
 - Six (6) cemetery operator representatives;
 - Two (2) crematorium operator representatives; and
 - One (1) consumer representative who is a member of a recognized consumer organization or individual with demonstrated interest or expertise in consumer protection or consumer experience in the bereavement sector.

4. Terms of Service

- Committee Members will be appointed to a three (3) year term, to a maximum of nine (9) years, with no eligibility to serve a further term.
- If a member of the Committee is appointed Chair and the length of the appointment extends beyond the nine (9) year maximum for Committee members, the member may continue as Chair until the expiry of the appointment at which time they cease to be a member of the Committee.
- Committee positions will be considered immediately vacated if:
 - The Committee member no longer resides in the province of Ontario;
 - The Committee member is subject to disciplinary action;
 - The Committee member resigns by writing to the Chair, in which case the resignation shall be effective at the time it is received or at the time specified in the notice, whichever is later;
 - The Committee member dies; or
 - In the reasonable opinion of the Board, expressed by the resolution of a majority of the Directors, the Committee member consistently fails to perform the duties reasonably required of a Committee member.
- Each Committee member has one vote. Where there is a tied vote, the Chair of the Committee shall cast the deciding vote.

5. Roles and Responsibilities

- The Committee is responsible for:
 - Providing advice to the Board, the CEO/Registrar or other BAO Advisory Committees on such matters as:
 - Discipline.
 - Education;
 - Licensing;
 - Promoting compliance; and
 - Regulation.
 - Recommending individuals to fill vacancies on the Committee;

- Participating in broader stakeholder consultations as requested; and
- Working with other BAO Advisory Committees as appropriate.
- The membership of the Committee will commit to:
 - Abiding by any applicable policies as determined by the Board, including confidentiality, conflict of interest, and expenses;
 - Actively participating in Committee discussions;
 - Attend all scheduled meetings to the best of their ability, and where attendance is not possible, advance notice shall be provided to the Chair;
 - Being prepared for meetings by reviewing materials in advance;
 - Disclosing any potential conflicts of interest in advance of Committee discussions, and refrain from discussion or voting on these items;
 - Making recommendations to help progress the work of the Committee;
 - Notifying the Committee if a matter arises which may impact their sector;
 - Treat all information as confidential; and
 - When requested, providing information in a timely manner.
- Members of the Committee can expect that they will be:
 - Alerted to potential risks which may impact the Committee;
 - Given reasonable time to make recommendations;
 - Participating in open and honest discussions related to the work of their Committee; and
 - Provided with complete, accurate, and meaningful information in a timely manner.
- The Chair of the Committee will:
 - Facilitate meetings by identifying the order of proceedings;
 - Promote active participation by all Committee members;
 - Encourage respectful and productive discussions of the Committee; and
 - Provide updates to the Board on the activities of the Committee.

6. Meetings

- The Committee will strive to meet twice a year at minimum of, or as required by the CEO/Registrar, Board, or Committee Chair.
- A quorum of a majority of Committee members is required for executing the business of the Committee.
- Meetings can be held in person, by teleconference, virtually, or other such communication method that allows all participants equal access to communicate with one another.
- The CEO/Registrar will normally attend meetings, but the Committee Chair may ask the CEO/Registrar not to attend at his/her discretion to facilitate open discussion on sensitive issues.

7. Deliverables

- The Committee Chair will report on the progress of the Committee as requested or as required by the Board.

8. Minutes

- The minutes of all meetings will be recorded and retained by a designated BAO staff member.
- Minutes will be shared with the CEO/Registrar, Board and Committee members in a timely manner.

9. Communication Protocol

- The Committee Chair is responsible for all communications with the Board and the CEO/Registrar outside of Committee meetings.
- The Committee may conduct *in camera* sessions during meetings to discuss confidential matters.
- Unless approved by the Board Chair or CEO/Registrar is given in advance, neither the Committee Chair nor a Committee member may speak to the media on behalf of the Committee or as a representative of the BAO.

10. Procedures

- Designated BAO staff members(s) will assist the Committee to develop Rules of Procedure for Committee meetings and also the Committee member's Code of Conduct.

11. Access to Bereavement Authority of Ontario Staff Resources

- The Committee will be supported by one or more designated BAO staff member(s) who would be responsible for:
 - Providing administrative support to the Committee;
 - Advising the Committee on applicable BAO policies;
 - Remaining impartial to all committee members;
 - Recording, retaining, and filing meeting minutes; and,
 - Booking meetings.

12. Expenses

- Other than the Committee Chair, Committee positions are voluntary and unpaid.
- Eligible expenses, related to travel and Committee attendance, will be reimbursed according to the BAO's Expense Policy.
- Requests for any additional resources required to support the Committee must be

submitted to the Board in writing.

13. Amendment, Modification or Variation

- These TOR may be amended, modified or varied in writing after consultation with Committee members, subject to the approval of the Board.
- Best efforts will be made to review these TOR on an annual basis, at the first Committee meeting of each calendar year.