

BEYOND

The Bereavement Authority of Ontario magazine



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or prepaying for
your death service
arrangements in
Ontario**

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About *Beyond*

Beyond is an all-digital, family focused magazine providing useful and interesting stories about the bereavement care industry and why it matters to you.

It is the magazine of the Bereavement Authority of Ontario, a government delegated administrative authority focused on protecting and informing families.

www.TheBAO.ca

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Preplanning or prepaying for your death service arrangements in Ontario



If you're planning your own funeral or someone else's, here's what you need to know.

But first, here's a bit about us.

The Bereavement Authority of Ontario (BAO) is the not-for-profit death service regulator delegated by the Government of Ontario to administer provisions of the law – the Funeral, Burial and Cremation Services Act, 2002 (FBCSA).

We regulate, ensure compliance with the law, provide resources, and services to professionals and businesses that we licence:

- Funeral establishment operators, directors and preplanners;
- Cemetery, crematorium and alternative disposition operators;
- Transfer service operators; and
- Bereavement sector sales representatives across Ontario.



We want you to have this information readily available for when you need it.

Decide

Decide what arrangements you want now, to reduce your family's stress when the time comes.

You may choose to:

- Pay at-need after a death has occurred;
- Prearrange with a professional and/or business licensed by the BAO;
- Prepay for arrangements for future need.

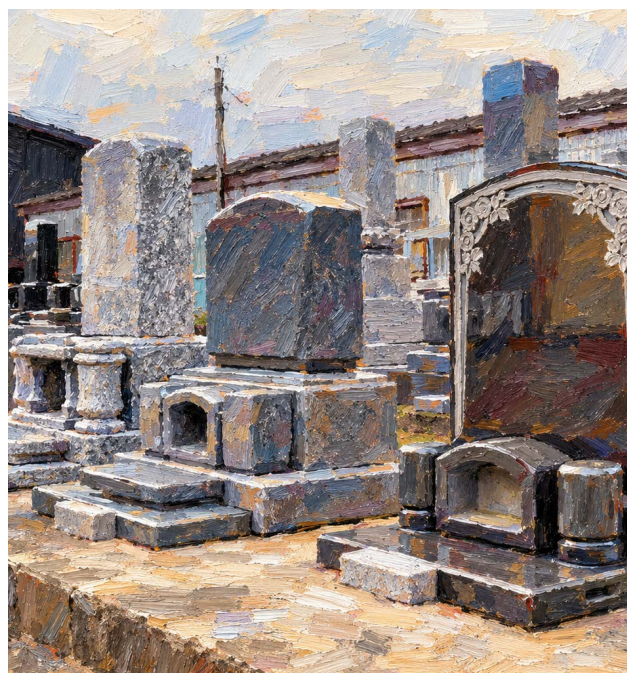
Pay at-need

Arrangements are made after a death by the person with legal authority to decide what services will be provided for the deceased's body. Before entering into a contract with a licensed provider, often a funeral home, you – the purchaser – can review the provider's current price list and select the services and supplies you want.

Prearrange

You can discuss and record your preferred funeral, burial, cremation, *alkaline hydrolysis or scattering arrangements in advance without paying. Most service providers will keep a record of these plans at no cost, but the person with legal authority after death may change them.

* = Alkaline hydrolysis is a chemical disposition of a deceased person's body. Learn more bereavement sector terminology on page five of our [free BAO Consumer Information Guide on our website](#).



Prepay

You can select services and supplies in advance and pay toward them under a written prepaid contract with a licensed provider. Payment is funded through a trust or insurance arrangement, with consumer protections, contract requirements and cancellation rights set out in Ontario law – the FBCSA.



Consumers may preplan their final arrangements without prepaying. Most service providers will keep a record of those plans at no cost to you.

Preplanning can give you time to consider your choices and reduce the number of decisions your family may need to make at a time of grief.

It's important to know that the person with legal authority to make arrangements after your death, such as your estate trustee, may change your plans. That's why the BAO recommends discussing your wishes with that person, and with family members or friends.

What a contract must include

If you enter into a contract with a licensed provider, the contract must identify the:

- Purchaser;
- Recipient who will receive the services or supplies;
- Provider;
- Itemized services and supplies selected;
- Contract terms, including cancellation rights;
- Commission or benefit the provider receives for recommending particular supplies or services;
- Applicable taxes; and
- Signatures of all parties.

For interment or scattering rights for cremated remains, the contract must also describe the location of the grave, crypt, niche or scattering area, as applicable. (Interment is the burial of human remains, including placement of human remains in a lot (grave, crypt or niche.)

Payment options and protection of prepaid money

If you decide to prepay, you will be asked to sign a contract. Ontario identifies two ways to fund a prepaid contract:

■ **Trust:** Money is paid to the service provider and held by a bank, credit union, trust company or independent trustee. The money earns income until it is needed, and that income helps offset increases in cost.

■ **Insurance:** An insurance policy funds the prepaid contract. In this case, you sign both an insurance contract and a prepaid contract with the service provider.

A prepaid contract must state the total amount paid and the payment terms for any balance owing. Money held in trust for prepaid services or supplies is subject to statutory trust and investment requirements.

You – the consumer – may ask the provider once each year where and how the money is invested, and how much is in the trust account. If an insurance company is paid directly, the funds are protected under Ontario's Insurance Act.

Prices and guaranteed contracts

For a prepaid contract made on or after July 1, 2012, the legal representative will not be asked to pay more for the services or supplies included in the contract, other than any unpaid balance. If prices fall in the intervening time between entering into a prepaid contract and application of the death services, it's advisable to review the contract terms with the service provider to determine how any difference will be handled at the time of death.

Changing or cancelling a contract

The FBCSA, provides a 30-day cooling-off period for contracts for licensed supplies or services.

During this period, a purchaser may cancel and receive a refund of money paid, subject to the rules for any supplies or services already provided. Additional cancellation rights may apply after the cooling-off period. The amount refunded and any permitted deduction depend on the type of contract and the applicable statutory and regulatory requirements.

During the 30-day cooling off period, you – as the purchaser – may cancel and receive a refund of money paid, subject to the rules...

An insurance contract has its own cancellation terms, fees and refund rights. Consumers should review both the insurance contract and the prepaid contract.

Important considerations:

- You can preplan without prepaying.
- Prepaying requires a contract and commits money in advance through a trust or insurance arrangement.
- A prepaid contract made on or after July 1, 2012, is guaranteed for the services and supplies listed in the contract once it is fully paid, subject to the contract and the law.
- Preplanned wishes may be changed by the person legally authorized to make arrangements after death.
- Before signing, review the provider's current price list, the selected services and supplies, payment terms, guarantee, cancellation provisions and any commissions or benefits disclosed by the provider.



Reference Government of Ontario sources

This article is not legal advice. It provides general information from Government of Ontario sources, listed here for your reference:

- [Funeral, Burial and Cremation Services Act, 2002](#)
- [Ontario Regulation 30/11: General](#)
- [Preplan and prepay final arrangements](#)

Buried in Bermuda: The tragic story of three Ontario airmen

By Stuart Lyall Manson



Part of the wing of the B-24 Liberator that crashed in Bermuda on February 6, 1945.
(Library and Archives Canada, RG 24, Volume 25104, File J46292)

In addition to my work as an historian and writing for *Beyond* magazine, I also volunteer with the Commonwealth War Graves Commission (CWGC).

Among its many activities, the CWGC cares for the graves and special tombstones related to Commonwealth service personnel who died during both world wars. Wherever I travel, I keep a lookout

for these grave markers – especially those associated with Canadians.

I recently travelled to Bermuda and ventured into its Royal Naval Cemetery. The island was a major British naval base in the 18th century onward, so this vast cemetery is the final resting place of hundreds of Royal Navy veterans. The cemetery was also used by other armed services – not just the navy – and by Commonwealth nations who often served alongside their British colleagues. Several Canadians are buried here, including three Ontarians who died on the same day, during the late stages of the Second World War.

1945

On February 6, 1945, Hugh Murray Martin sat in the pilot's seat of his aircraft on the main runway at Kindley Field, Bermuda. A native of Chesley, Ontario, he was poised to guide his B-24 Liberator, a large four-engined bomber, into the air. On board were his co-pilot Edward Craig Talbot of Toronto and navigator William Arnold Coott of South Porcupine, Ontario.

What brought these three Ontarians to Bermuda, a location far from the Second World War's front lines?

The island's naval base and airfield helped defend North America and its shipping lanes from external threats, but it was also an important aircraft trans-shipment point: Pilots and aircrew would ferry airplanes from North American factories to Bermuda,

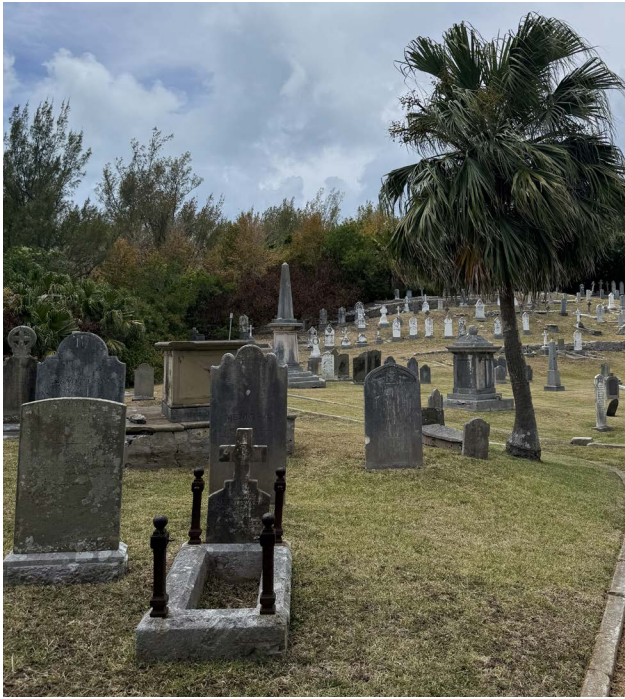


Pilot Hugh Murry Martin, sporting a dashing airman's moustache, in his official portrait. (Toronto Star)

and then across the Atlantic Ocean to Allied squadrons operating in Europe, Africa and the Middle East.

Historian Carl A. Christie documented this important wartime operation in his book titled *Ocean Bridge: The History of RAF Ferry Command*. In a Canadian context, Bermuda was used extensively during the winter months to ferry flying boats from Canada to Europe.

Since a flying boat takes off from water, the resulting accumulation of heavy ice was bad for long, direct flight to Europe. Flying boats leaving Canada would therefore fly south towards warmer air, then towards the island of Bermuda, and then to Europe or Africa.



Bermuda's Royal Naval Cemetery, the location of the burial sites of the three Ontarians killed in the crash.
(Author's photo)

This ferrying activity later expanded to regular land-based airplanes after the United States, which was responsible for Bermuda's air defence, upgraded the island's airfield.

The airmen involved in ferrying were often a mix of civilians and air force members.

For example, Martin and Talbot were then classified as civilian pilots, while Coott was a member of the Royal Canadian Air Force. On that fateful day in February 1945, they had just arrived in Bermuda from Montreal. Shortly after pilot Martin guided the aircraft into the air, enroute to Europe, the plane crashed. There were no survivors.

Bermuda's Royal Naval Cemetery

The gravesites of Martin, Talbot, and Coott are clustered together in Bermuda's Royal Naval Cemetery. These men served together, died together, and now rest in peace together. Their CWGC tombstones are made from the light grey limestone commonly used for these types of markers. In the sunny and lush environment of Bermuda, they command attention.

The crash was the subject of a court of inquiry.

Witnesses reported that the *Liberator* took off at 11:45 in the evening, under normal circumstances, but soon lost altitude. It then struck the top of a telephone pole and deflected off a railway embankment. The aircraft, fully fueled for its trans-Atlantic flight, then crashed into the sea in a ball of flame, 80 metres from shore.

The members of the court of inquiry acknowledged that the cause of the accident was "obscure," but they noted that the aircraft had insufficient flying speed, resulting in a stall. This may suggest engine trouble, although all four engines were perfectly serviceable before the flight. They also hinted at the possibility, albeit remote, that the aircraft caught fire before striking the telephone pole.

Ruled out sabotage

Curiously, according to the members of the court of inquiry another Liberator aircraft crashed in Bermuda two hours after this crash, “under similar circumstances.” Despite this coincidence, they concluded that there was no connection between the two accidents; they ruled out sabotage.

Pilot Martin was 33 years old at the time of the accident. He was an experienced pilot, having spent 198 hours flying Liberators, and 1,705 hours in total flying experience. This attempted crossing of the Atlantic would have been his 25th.

Martin was a longtime friend of Talbot, his co-pilot. The two men were professional pilots who flew together prior to the war. Talbot’s loss was particularly hard on his family, because his mother was a widow.

Coott was the navigator on this flight. He was a truck driver and clerk before the war and had enlisted in the Royal Canadian Air Force in 1942. His superiors remarked that he was small in stature, but he “showed who was boss when put in command.” The date of the crash was only four days before his 24th birthday.

In addition to these three Ontarians, two other crew members lost their lives in the crash: Jean Pierre Lagadec, a radio officer from Montreal, who is buried in that city’s Notre Dame des Neiges Cemetery;

and Arthur Charles Alfred Grace, an engineer from Sheffield, England, who is also buried in the Bermuda Royal Navy Cemetery.

If you visit Bermuda, the Royal Naval Cemetery is open to the public and is located one kilometre south-west of the Royal Navy Dockyard, where many cruise ships and island ferries dock. The cemetery is also situated across the road from Glass Beach and Theo’s Cove, two popular landmarks.

■ Stuart Lyall Manson (stuartmanson.wordpress.com) is an historian, heritage cemetery advocate, and author of the book series *Sacred Ground: Loyalist Cemeteries of Eastern Ontario*



Hugh Murray Martin’s tombstone, which contains the epitaph “Loved and remembered by family and friends.” (Author’s photo)

Changing lanes in widowhood

By Celia Chandler

It's been a long eight years of widowhood, but I'm moving in clear water again.

Life with Jack was like a trip down the Niagara River: laughing as we rushed through rapids; treading water side-by-side in a deep pool; or swirling so rapidly we thrashed about against the centrifugal force of the water and lashed out against each other.

The experiences left me exhilarated but mostly anxious that we were going right over the Falls. Jack loved living like one of those barrel people from Niagara's history delighting in the uncertainty.

So, unlike my pre-Jack decades when I'd controlled my own personal watercourse like a Welland Canal lockkeeper.

When we received his lung cancer diagnosis, the water of our relationship slowed, thickened, and blackened like squid ink. There were times it would become less viscous and a little less murky, as Jack's

chemo and radiation bought him some months of relative wellness. Despite that, even Jack's enthusiasm for the unknown was tempered. For me, the abyss that was our future was nearly unbearable.

Life as a caregiver

Two years after his diagnosis, the water in our marriage pool was increasingly black and thick. There was no apparent medical reason, but Jack felt unwell again. We were crabby with each other. Jack reduced his activities to three things: work, smoking, and sleeping. I worked a lot too and when I wasn't, I fretted or lay in bed with my back to him, tears silently soaking my pillow.

Eight years ago this month, the waters got slightly less cloudy. Although it was terrible news, I was less stressed just knowing it: cancer had spread to Jack's spinal fluid, explaining both his ill health and the mood changes. It's a common secondary site for lung cancer and one for which there was no cure. To ensure his last days were

as easy as possible, I took a leave of absence from work and began the most difficult 10 weeks of my life as full-time caregiver.

Widowhood is different

Jack's medically assisted death in November 2018 thrust me into a new lane in the pool. Before our nine years together, I'd been alone and I knew I could cope again, despite the loss of the companionship of life partnership. But widowhood is different from being single and being a decade older created new barriers. Settling into my third act took time and thought. But it happened.

Now I paddle around in the calm waters of Chandlerville, the name I've given my new laneway house on the property I shared with Jack. In my bespoke space, I write in the gazebo Jack left me, create Insta-worthy meals, and putter in the garden we started together.

I changed professional lanes too, leaving my law firm partnership behind after just seven years and surrendering my law licence. Now, I work part-time in the co-op housing sector, do some housing-related consulting, and rent out the main house.

I'm grateful for the good friends who've hung in with me through the relationship with Jack, his long illness, my COVID response, my changing life since. But all my life events, coupled with everyone else's life's events, required me to be proactive to fill open spots on my dance card.

New circle

Some of my new circle are neighbours, befriended by walking and talking to dogs, their owners, bird watchers, and anyone else who met my eye on the Humber Trail, where you can often find me.

I've organized meet-ups on Facebook. I attend as many community suppers, theatre performances, and concerts as I can.

In a world where we are encouraged to serve ourselves, it's tough sometimes to engage servers in coffee shops, the pharmacy, and the library, but where they exist, I try to build connections.

I've even made new connections with the people who've taken my giveaways on the local Facebook Sharevine. Building back a friendship list isn't easy and not quick either. But it's actually kinda fun.



**Settling into my third act
took time and thought.
But it happened.**

While becoming a widow was not something I chose, I had Jack's three-year illness to consider it and make some plans. Planning and signalling with active shoulder-checking reduces the element of surprise.

Even though my love affair with Jack ended decades too soon, it brought me to Weston, a Toronto community so far from downtown I initially couldn't imagine being happy there. Now I cannot imagine leaving. Being with Jack left me other legacies: I inherited friendships with Jack's kids and grandkids; I became a confident cook and host; and I learned my skills of advocacy and organization are perhaps more critical to caregiving than the bum-wiping and brow-mopping skills I don't have.

Even the turmoil I experienced during Jack's illness and death meant I also benefited from our love. If his cancer and medically assisted death were unavoidable then I'm glad I had a chance to learn so much from that experience too.

My lane

Many ask me whether I've arrived in my last lane. I think so, but I always view my lane as permanent — professions, homes, friends, interests, and so on—until I don't. Then I find a new lane and make a clear plan to safely insert myself into it. It's just how I roll. So, while I work on writing about my post-Jack reset in my book called Lane Change, it's not

impossible that one day I'll cross the pool into yet another lane.

But today, I celebrate human resilience and that widowhood is a superpower. We can swim in the darkest waters, but with time, those waters become clear again.



Celia Chandler is a former lawyer turned writer whose articles have appeared in the Toronto Star and on her website, celiachandler.com



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