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## THINGS YOU SHOULD KNOW

- Obituary notices are not required by law.
- Embalming is beneficial and necessary under certain circumstances, but is not required by law. A funeral director can explain when embalming must occur.
- Scattering of cremated remains is legal but there are limitations, please visit our website for the Scattered Remains Policy.
- Funeral plans may be cancelled within 24 hours of signing a contract, except for the services already rendered.
- Grave liners and urns are not required by provincial law; however, cemeteries may have specific requirements in their by-laws and/or policies.
- Although caskets are not required by law to cremate a body, crematoria require that a cremation container made of combustible material be used at all times.
- There are options regarding containers for burial or cremation. If you wish to provide an urn or casket, it should be discussed with the funeral director. However, the funeral home may not be able to accommodate some family wishes.
- Funeral directors / representatives are within their rights to request partial or full payment prior to any services being rendered.
- Funeral directors are within their rights to request legal documentation proving kinship, administration or executorship at any time, especially when a dispute arises amongst the funeral organizers.
- It is your right to have a funeral director present during negotiations with cemetery sales agents as they may not all be licensed funeral directors and are not bound by the same Code of Ethics.

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## COMPLAINTS

In some situations, you may have a concern about a service provided by a funeral director or embalmer. In the event you are unable to resolve the matter directly, you can contact the CPO.

Should your issue be more serious, you can file an official complaint with the CPO by completing and submitting a Complaint Form detailing the matter. Include copies of any related documents. The Complaint Form can be found on our website and sent to the address below.

Upon investigation of the complaint, a hearing may be called. After a hearing, the CPO can:

- Dismiss the complaint;
- Direct an apology;
- Set a fine;
- Suspend or cancel a licence; or
- Determine other disciplinary action.

In all cases, the Director of the CPO will provide a written response or decision. In some cases, you may want to seek legal advice.

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### MAILING ADDRESS:

CONSUMER PROTECTION OFFICE  
302-258 PORTAGE AVENUE  
WINNIPEG, MANITOBA R3C 0B6



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# Guide to Roles and Responsibilities for Funeral Services in Manitoba

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## Consumer Protection Office

302-258 Portage Avenue

Winnipeg, Manitoba R3C 0B6

Telephone (Winnipeg and area): 204-945-3800

Toll-free within Manitoba: 1-800-782-0067

Fax: 204-945-0728

Email : [consumers@gov.mb.ca](mailto:consumers@gov.mb.ca)

Website: [www.gov.mb.ca/cp/cpo/](http://www.gov.mb.ca/cp/cpo/)

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## **CONSUMER PROTECTION OFFICE**

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The Consumer Protection Office (CPO) administers consumer protection legislation for the province of Manitoba.

The CPO strengthens consumer protection in the provision of funeral-related services by regulating funeral-related professionals and facilities as prescribed by The Cemeteries Act, The Prearranged Funeral Services Act and The Funeral Directors and Embalmers Act and their regulations.

The CPO provides consumers with information regarding their legal rights, including which products and services are required by law and which are optional.

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## **FUNERAL DIRECTOR'S RESPONSIBILITIES**

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- Comply with laws, regulations and the Code of Ethics.
- Obtain and maintain applicable licensing through the CPO.
- Post their licence in a prominent place in view of the public in each premises from which they practice or carry on business. Show licences upon request.
- Provide a copy of this brochure to anyone seeking information at the first meeting.
- Explain what is optional and what is required by law.
- Provide a current General Price List upon request.
- Provide a written, no-obligation estimate itemizing selected products and services.

- Provide the purchaser with a copy of the signed contract or statement of the purchase.
- Register each death with Manitoba Vital Statistics Branch within five business days of having received the decedent's particulars.
- Care for the deceased and their loved ones in a dignified manner at all times.
- Respect and accommodate cultural, religious, ethnic and family customs or traditions, whenever possible.

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## **CONSUMER PROTECTION OFFICE'S RESPONSIBILITIES**

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- Ensure compliance with the bereavement legislation in Manitoba.
- Licence funeral directors and embalmers.
- Register funeral homes.
- Licence cemeteries, mausoleums, columbaria, cemetery sales agents and crematories.
- Licence funeral directors, agents and salespersons to provide funeral services of another person under a trust-moneys prearranged funeral plan or to solicit another person to enter into a trust-moneys prearranged funeral plan.
- Ensure regulated professionals meet annual continuing education requirements.
- Respond to inquiries and complaints from consumers and industry representatives.
- Educate licensees and consumers about their rights and responsibilities.

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## **CONSUMER'S RESPONSIBILITIES**

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The death of a loved one is a difficult time in life. Here is a brief summary of consumer responsibilities:

- Confirm the funeral director/embalmer is licensed through the Consumer Protection Office.
- Select a funeral provider that you are comfortable with and review all documentation prior to signing a purchase agreement or contract.
- Prove kinship. The funeral director must be sure that you are the legal next-of-kin or Executor of the estate prior to making any arrangements. You may be asked to provide documentation such as a Will or Letter of Administration.
- Provide the decedent's particulars (i.e. date of birth, place of residence, type of employment, etc.) and submit proof if necessary.
- You may cancel an at-need contract within 24 hours of signing should you have any doubts or change your mind.
- Understand the funeral home's payment requirements. Some funeral homes request payment prior to any products or services being provided. It is within their rights to do so.
- Familiarize yourself with all cemetery and crematorium policies regarding memorial stone requirements, type of urn that can be used, grave liners, cremation containers, etc.
- It is within your rights to inquire at several funeral homes to compare options, services, facilities, and pricing before making a final decision and committing to a contract.
- Review any documents the funeral director may prepare and submit to government agencies, etc. on your behalf prior to signing any forms.
- Keep prearranged funeral contracts in a safe location and review them periodically.