

1980

c 387 Prearranged Funeral Services Act

Ontario

© Queen's Printer for Ontario, 1980

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

Bibliographic Citation

Prearranged Funeral Services Act, RSO 1980, c 387

Repository Citation

Ontario (1980) "c 387 Prearranged Funeral Services Act," *Ontario: Revised Statutes*: Vol. 1980: Iss. 6, Article 27.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1980/iss6/27>

CHAPTER 387

Prearranged Funeral Services Act

1. In this Act, "funeral services" means the services usually provided by a funeral director licensed under the *Funeral Services Act* and the provision of funeral supplies and services to the public other than a cemetery plot. 1979, c. 30, s. 1, *part*. Interpretation
R.S.O. 1980,
c. 180

2. Unless he is an insurer licensed under the *Insurance Act*, or a person licensed as a funeral director under the *Funeral Services Act* and engaged in directing the operation of a funeral services establishment, no person shall agree or offer to agree, for a consideration that is fixed by the agreement, to furnish or make provision for funeral services upon the death of a person who is alive at the time the agreement or offer is made. 1979, c. 30, s. 1, *part*. Agreements for prearranged funeral services
R.S.O. 1980,
c. 218

3. Every agreement entered into before the 18th day of April, 1962 and which would contravene this Act if it were entered into on or after that date is null and void and shall be deemed to be a contract to which the *Frustrated Contracts Act* applies. R.S.O. 1970, c. 358, s. 3. When existing agreements void
R.S.O. 1980,
c. 179

4.—(1) Every person who receives money under an agreement referred to in section 2 shall receive and hold such money together with any interest accrued thereon in trust until the agreement has been fully performed by him or the agreement has been cancelled. Money in trust

(2) Where an agreement referred to in subsection (1) is cancelled, the person holding money in trust under that agreement shall forthwith pay such money to the person entitled thereto. 1979, c. 30, s. 2. Idem

5.—(1) The Lieutenant Governor in Council may make regulations governing the manner in which trust accounts shall be kept and accounted for and providing for their inspection. R.S.O. 1970, c. 358, s. 5 (1). Regulations

(2) The Board of Funeral Services under the *Funeral Services Act* shall cause the trust accounts to be inspected as required by the regulations, and any misuse of trust funds shall be deemed to be sufficient grounds for cancellation of a licence under the *Funeral Services Act*. 1979, c. 30, s. 3. Inspection and misuse of trust money

Offence

6. Every person who contravenes section 2 is guilty of an offence and on conviction is liable, if an individual, to a fine of not more than \$1,000, and, in default of payment, to imprisonment for not more than three months, and, if a corporation, to a fine of not more than \$2,000. R.S.O. 1970, c. 358, s. 6.