

1914

## c 174 Embalmers' and Undertakers' Act

Ontario

© Queen's Printer for Ontario, 1914

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

---

### Bibliographic Citation

*Embalmers' and Undertakers' Act*, RSO 1914, c 174

### Repository Citation

Ontario (1914) "c 174 Embalmers' and Undertakers' Act," *Ontario: Revised Statutes*: Vol. 1914: Iss. 1, Article 177.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1914/iss1/177>

## CHAPTER 174.

## An Act respecting Embalmers and Undertakers.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      1. This Act may be cited as *The Embalmers' and Undertakers' Act*. 1 Geo. V. c. 51, s. 1.
- Interpretation.      2. In this Act,
- "Board."      (a) "The Board" shall mean the Board of Examiners appointed under this Act.
- "Embalming."      (b) "Embalming" shall mean the disinfection or preservation of the dead human body, entire or in part, by the use of chemical substances, fluids or gases, ordinarily used, prepared or intended for such purpose, either by outward application of such chemical substances, fluids or gases on the body, or by the introduction of the same into the body by vascular or hypodermic injection, or by direct application into the organs or cavities.
- "Minister."      (c) "Minister" shall mean the member of the Executive Council for the time being charged by the Lieutenant-Governor in Council with the administration of this Act.
- "Regulations."      (d) "Regulations" shall mean regulations made under the authority of this Act. 1 Geo. V. c. 51, s. 2.
- Board of Examiners.      3. The Lieutenant-Governor in Council may appoint a Board of Examiners consisting of five persons practically conversant with the business of embalming who shall, subject to the regulations,
- Rules.      (a) prescribe the subjects in which candidates for certificates of qualification as embalmers shall be examined,
- (b) conduct examinations of candidates or provide for and supervise the examinations of candidates for such certificates and report thereon to the Minister,
- (c) issue licenses and certificates of qualification to applicants therefor, who have passed such exam-

inations or are otherwise entitled thereto. 1 Geo. V. c. 51, s. 3.

4. Any three members of the Board shall form a quorum. Quorum.  
1 Geo. V. c. 51, s. 4.

5. The Lieutenant-Governor in Council may appoint one Secretary.  
of the members of the Board or some other person to be the  
Secretary of the Board. 1 Geo. V. c. 51, s. 5.

6. The Secretary of the Board shall keep a register in Register.  
which shall be entered the name of every person to whom a  
certificate of qualification is granted under this Act, and the  
date at which the same is granted. 1 Geo. V. c. 51, s. 6.

7. The Lieutenant-Governor in Council may from time to Regulations  
by Lieuten-  
ant-Gov-  
ernor in  
Council.  
time make regulations,

- (a) for the examination of candidates for licenses and certificates of qualification and permits, the granting of such licenses, certificates and permits, and the evidence to be furnished by candidates as to sobriety and good character and as to previous training and experience;
- (b) for determining the time of continuance of such licenses and certificates and permits and renewal of same;
- (c) for fixing the fees to be paid by such candidates upon any such examination, or for any license or certificate of qualification or permit or renewal thereof;
- (d) for prescribing the causes for which any license or certificates or permits may be revoked, cancelled or suspended;
- (e) for fixing the fees or other remuneration to be paid to the members and staff of the Board. 1 Geo. V. c. 51, s. 7.

8. Every person engaged in or carrying on the business of Persons  
carrying on  
business  
before 1st  
July, 1911.  
embalming in Ontario at the time of the appointment of a  
Board of Examiners under this Act and who applies to the  
Board for a certificate of qualification within one year  
thereafter, shall, upon furnishing such evidence of sobriety,  
good character and experience as the Board may require,  
and upon payment of the prescribed fee, be entitled to re-  
ceive a certificate of qualification from the Board. 1 Geo. V.  
c. 51, s. 8.

9. Any person who feels himself aggrieved by the deci- Appeal from  
Board to  
Minister.  
sion of the Board may appeal therefrom to the Minister upon  
giving such notice as the Minister may prescribe, and the  
decision of the Minister shall be final. 1 Geo. V. c. 51, s. 9.

Annual  
report of  
Board.

**10.** The Board shall make a report to the Minister on or before the 31st day of December in every year, shewing

- (a) the number of certificates granted by them during the preceding year, and the persons to whom granted;
- (b) the number of applications for certificates refused during the preceding year and the causes for refusing the same;
- (c) the number of certificates revoked, cancelled or suspended during the preceding year;
- (d) the amount of fees received by them from candidates or owners of certificates during the preceding year;
- (e) the travelling and other expenses of the Board and the Secretary, and the fees, salary or other remuneration received by the Board and the Secretary; and
- (f) such other matters as may be directed by the Minister or the Lieutenant-Governor in Council.  
1 Geo. V. c. 51, s. 10.

Audit of  
receipts and  
expenditure.

**11.** The receipts and expenditure of the Board shall be audited by a Chartered Accountant, not a member of the Board, and the fees, salary or other remuneration paid to the Board shall be paid out of the fees received from candidates or others and shall in all cases be subject to the approval of the Minister. 1 Geo. V. c. 51, s. 11.

Certificate  
to be kept

exposed  
to view.

**12.** A certificate held by any person under this Act shall at all times be exposed to view in the place of business carried on by such person or in the place in which he is employed, and failure to keep such certificate so exposed shall be *prima facie* evidence of the lack of qualification under this Act. 1 Geo. V. c. 51, s. 12.

Penalty for  
professing  
to be  
licensed.

**13.** Every person who, not being the holder of a certificate of qualification issued by the Board or of a renewal thereof, holds himself out as an embalmer, or uses any sign or letters, or words or abbreviations, importing that he is an embalmer, shall incur a penalty not exceeding \$25. 1 Geo. V. c. 51, s. 13.

Notice to  
be given  
Secretary of  
Provincial  
Board of  
Health.

**14.**—(1) No person shall carry on business as an undertaker in Ontario without a license from the Provincial Board of Health which shall be issued upon such terms and subject to such conditions and regulations and upon payment of such fee and subject to cancellation or suspension for such cause as the Provincial Board of Health with the approval of the Lieutenant-Governor in Council may prescribe.

(2) Every person carrying on business as an undertaker without such license, shall incur a penalty of \$25. 1 Geo. V. c. 51, s. 14; 3-4 Geo. V. c. 18, s. 32. Penalty for neglect to give notice.

**15.**—(1) Every person who as an undertaker conducts or directs the burial of any human body shall forthwith, upon the form prescribed by the regulations of the Provincial Board of Health, notify the Secretary of the Provincial Board of Health of such burial. Returns of burials.

(2) Any person neglecting or refusing to carry out the provisions of this section shall incur a penalty of \$25, and upon conviction his license may be suspended or cancelled by the Board. 1 Geo. V. c. 51, s. 15. Penalty.

**16.** *The Ontario Summary Convictions Act* shall apply to every prosecution under this Act. 1 Geo. V. c. 51, s. 16. Application of Rev. Stat. c. 90.

---