

# AUTHORIZATION TO ALLOW SCATTERING OF CREMATED REMAINS

## GIVEN TO

**DENMAN ISLAND MEMORIAL SOCIETY – IN REGARD TO THE DENMAN ISLAND NATURAL BURIAL CEMETERY**  
6400 Denman Rd., Denman Island, B.C. V0R 1T0 email: dinaturalburial@gmail.com 250-335-1786

Signed copies of this document should be prepared for the deceased's representative and for the Memorial Society.

### DECEASED'S INFORMATION (please print)

Full Name of Deceased \_\_\_\_\_

Date of Death \_\_\_\_\_ Place of Death \_\_\_\_\_ Time \_\_\_\_\_ Age \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

### DECEASED'S REPRESENTATIVE

Name of Representative \_\_\_\_\_ Relationship to Deceased \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

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### AUTHORIZATION

I confirm that the above information provided by me is correct in all regards and that the deceased meets the Qualifications for Scattering of Cremated Remains (see page 2). I agree that the use of the cemetery is subject to the Cemetery Bylaws as they may be in effect from time to time and that the scattering may only be carried out in an approved area. I acknowledge that commingling with other scattered human remains may occur as a result of the scattering process. Under 'Order of Priority' provisions of the *Cremation, Interment and Funeral Services Act* of B.C. (see page 2), I certify that I am the legally authorized representative of the above named deceased. I do hereby authorize the scattering of the cremated remains of the above named deceased and accept all responsibility for costs associated with this authorization. I agree to indemnify and hold harmless the Denman Island Memorial Society and its directors, officers, employees and agents from any liability, costs, expenses or claims resulting from this authorization.

\_\_\_\_\_  
Signature of Deceased's Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

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### PERMISSION IS HEREBY GIVEN TO SCATTER THE DECEASED'S CREMATED REMAINS IN AN APPROVED SCATTERING AREA

The fee for this Permission to Scatter is set out in the attached Schedule (see page 3). A Memorial Plaque, if desired, can be ordered either at the time of the scattering or afterwards at the cost then in effect.

Date of Scattering \_\_\_\_\_ Estimated time of arrival for the scattering \_\_\_\_\_ (a.m./p.m.)

Other Instructions \_\_\_\_\_

### DENMAN ISLAND MEMORIAL SOCIETY

\_\_\_\_\_  
per its authorized signing authority

\_\_\_\_\_  
Date

## **QUALIFICATIONS FOR SCATTERING OF CREMATED REMAINS**

Those persons qualifying to have their cremated remains scattered in the Cemetery are limited to:

- a) an owner, past or present, of land on Denman Island;
- b) a full or part-time resident, past or present, of Denman Island; and
- c) a grandparent, parent, child, grandchild, spouse, or sibling of such an owner or resident.

## **CREMATION, INTERMENT AND FUNERAL SERVICES ACT (excerpts)**

### **CONTROL OF DISPOSITION**

5 (1) The right of a person to control the disposition of the human remains or cremated remains of a deceased vests in, and devolves on, the following persons in order of priority:

- (a) the personal representative named in the will of the deceased;
- (b) the spouse of the deceased;
- (c) an adult child of the deceased;
- (d) an adult grandchild of the deceased;
- (e) if the deceased was a minor, a person who was a guardian who had care and control of the deceased at the date of death;
- (f) a parent of the deceased;
- (g) an adult sibling of the deceased;
- (h) an adult nephew or niece of the deceased;
- (i) an adult next of kin of the deceased, determined on the basis by section 23 (5) of the *Wills, Estates and Succession Act*;
- (j) the minister under the *Employment and Assistance Act*, or if the Public Guardian and Trustee is administering the estate of the deceased under the *Wills, Estates and Succession Act*, the Public Guardian and Trustee;
- (k) an adult person having a personal or kinship relationship with the deceased, other than those referred to in (b) to (d) and (f) to (i).

(2) If the person at the top of the order of priority set out in subsection (1) is unavailable or is unwilling to give instructions, the right to give instructions passes to the person who is next in priority.

(3) If, under subsection (1), the right to control the disposition of human remains or cremated remains passes to persons of equal rank, the order of priority:

- a) is determined in accordance with an agreement between or among them; or
- b) in the absence of an agreement referred to in paragraph (a), begins with the eldest of the persons and descends in order of age.

### **DEFINITION OF SPOUSE**

“Spouse” means a person who:

- (a) is married to another person, or
- (b) has lived with another person in a marriage-like relationship for a period of at least 2 years immediately before the other person’s death.

### **WRITTEN AUTHORIZATION**

8 (3) An operator of a cemetery, mausoleum and crematorium must not dispose of human remains unless:

- a) the operator is authorized to do so under the Vital Statistics Act; and
- b) the operator:
  - (i) is ordered to do so by a medical health officer under the Public Health Act; or
  - (ii) has received the authorization from the person who, under section 5, has the right to control the disposition of the human remains.

### **PROTECTION FROM LIABILITY**

(9) If

- a) there is an error or omission in an authorization provided under section 8 to an operator or funeral provider, or
- b) the person who signed an authorization provided under section 8 did not have the authority to give the directions set out in the authorization,

the operator or funeral provider is not liable for acting on the authorization unless the operator or funeral provider knew, or ought to have known, that the facts stated in the authorization were not true or the person giving the authorization did not have the authority to do so.

**SCHEDULE OF FEES  
FOR THE DENMAN ISLAND NATURAL BURIAL CEMETERY**

**6400 Denman Road, Denman Island, B.C. V0R 1T0     [dinaturalburial@gmail.com](mailto:dinaturalburial@gmail.com)**

January 11, 2020

1. <i>Right of Interment</i> , At-need or Pre-need Plot Fee per grave <sup>1,2,3</sup>		\$1000.00
2. Administrative Fee for a <i>Right of Interment</i> purchased on a pre-need basis <sup>4</sup>		\$120.00
3. <i>Permission to Scatter</i> (for the cremated remains of one person)		\$200.00
4. Interment Services (per grave)		
a) Human Remains		
i) Opening and Closing	\$540 plus tax: \$27.00 (GST)	\$567.00
ii) Opening only	\$252 plus tax: \$12.60 (GST)	\$264.60
b) Cremated Remains		
i) Opening and Closing	\$180 plus tax: \$9.00 (GST)	\$189.00
ii) Opening only	\$90 plus tax: \$4.50 (GST)	\$94.50
5. Memorial Plaque <sup>5</sup>	\$300	\$300.00
6. Administrative Fee for the Return or Transfer of a <i>Right of Interment</i> <sup>6,7</sup>		\$100.00

Notes

1. The *Right of Interment* Plot Fee provides for one Standard Burial Plot, which contains one grave, or for one grave in a Family Burial Plot, which contains up to six graves depending on the specification at the time the *Right of Interment* is purchased. Whether in a Standard Burial Plot or a Family Burial Plot, a grave is intended for the human remains of one person or the cremated remains of one person.
2. At the time of interment, twenty-five percent (25%) of the *Right of Interment* Plot Fee is deposited into the Care Fund Account of the Denman Island Memorial Society, as required by the provincial government. The Care Fund is held in trust should a place of interment be abandoned or come into financial difficulty.
3. A *Right of Interment*, whether purchased on a pre-need basis or at-need basis, does not include the cost of Opening and Closing the Grave or of the Memorial Plaque. Fees for these services are paid after the death of the designated user and prior to interment.
4. This fee is non-refundable.
5. The fee for a Memorial Plaque includes the cost of the plaque, delivery and installation, plus \$10 for the Care Fund Account. A Memorial Plaque is a requirement with all burials, but is optional with the scattering of cremated remains.
6. A successful applicant for the return of a *Right of Interment* will be paid an amount equal to the original *Right of Interment* fee.
7. A successful applicant for the transfer of a *Right of Interment* will also be required to pay an amount equal to any increase in the cost of a *Right of Interment* since the date of the original purchase. Twenty-five percent (25%) of this amount is deposited into the Care Fund Account at the time of interment.