

MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

LEGISLATION TO ENABLE CREMATION IN THE NORTHWEST TERRITORIES

February 9, 2017

**MR. O'REILLY:** Merci, monsieur le President. People in the Northwest Territories who want to choose cremation of human remains -- that is currently about 30 per cent of all deaths -- cannot access this service from a Northwest Territories supplier. A local funeral home would like to expand to provide this service, and it's just down the road from me, Mr. Speaker; but in seeking a way to support the expansion of our economy and of services for our residents, road blocks have been encountered.

All Canadian jurisdictions except the Northwest Territories and Nunavut have legislative regimes for cremation. In the Northwest Territories there are a variety of laws touching upon the legalities of cremation, but no single law overseeing -- or enabling -- cremation.

A review of crematoria legislation in other jurisdictions found that a comprehensive framework for cremation services is the preferred approach. Typically, health departments regulate such matters as sanitation standards and air quality. The *Public Health Act* would likely govern these matters. The *Vital Statistics Act* outlines the requirements for issuing a permit allowing disposal of human remains by any means. More work needs to be done to ensure that there is no legal prohibition under the current legislative framework to prevent cremation services here in the NWT. That includes determining what other public health concerns may exist.

An important outcome of this internal review was the observation that the commercial operations of crematoria are typically regulated by community affairs departments.

I approached Municipal and Community Affairs -- and that's where progress seems to have come to a halt. I was told by the Minister that development of this legislation is not on the priority list for the department, primarily due to other pressing needs. It's not clear what these other pressing legislative changes are and how regulation of cremation will fit in or not.

We're almost into the bottom half of this Assembly's term. Again, I have to question this government's ability to move legislation forward. After all, we are supposed to be a *Legislative Assembly*. Here's an opportunity for local economic expansion, an improvement of services and reduction of costs for our residents, an increase of the tax base. It's all wins, Mr. Speaker, and there is proven law across the country to start from and shape to meet our needs. I'll have questions for the Minister on how to move forward on the issue of regulation of regulation cremation. Masi, Mr. Speaker.