

## ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

### QUESTION 701-18(3): CREMATION SERVICES

March 14, 2019

**MR. O'REILLY:** Merci, Monsieur le President. On September 27, 2017, my private Member's bill, the Health Statutes Amendment Act, was passed. The Minister of Health and Social Services said the following: "I commit to working together with the Departments of Justice, Environment and Natural Resources, and Municipal and Community Affairs to develop regulatory changes that may be required"; and, "The department will make it a priority to meet with other departments to map out the work required and the associated timelines." Can the Minister provide an update on what is happening with the regulation on cremation services here in the Northwest Territories? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Health and Social Services.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. The department is still doing the work on their portion of the regulations under the Public Health Act. I have provided direction to the department. I have indicated that I'd like to see the regulations of Health and Social Services under the Public Health Act done within the life of this government. I have been given assurances that, barring any unforeseen crisis or challenges, that work will be done in the life of this government. Thank you, Mr. Speaker.

**MR. O'REILLY:** I want to thank the Minister for that. I was going to ask the Minister about a timetable; he's provided one. What additional work needs to be done beyond regulations under the Public Health Act?

**HON. GLEN ABERNETHY:** I think I need to ask for some clarity on this question. Can the Member explain exactly what he's referring to? I mean, Health and Social Services has a responsibility under the Public Health Act; then, other departments have other responsibilities; and the cities or the communities where crematoriums are being proposed have some responsibilities, as well. Just so I'm clear, what part of that question is the Member asking? Because I'll do my best to answer any of them.

**MR. O'REILLY:** I know that the Minister loves to answer questions, so what other work does our government need to do to allow for cremation services here in the Northwest Territories?

**HON. GLEN ABERNETHY:** That does help, and I do like to answer questions, but before I get into some of the work that still needs to be done, I do want to point out that there is no territorial law or regulation that prohibits the practise of cremation here in the Northwest Territories. The Member did move a private Member's bill which, actually, will help strengthen some of the regulations around the public health aspect of providing crematorium services here in the Northwest Territories, but, as we took a deeper dive into this, it became clear that Health and Social Services doesn't need to do anything, or change anything, actually, to allow crematoriums to happen here in the Northwest Territories.

We feel we have an opportunity to strengthen the practise and make sure that it's meeting certain standards, and we do thank the Member for moving that legislation that allows us to do that, and we are committed to getting those regulations done. We have been meeting with the city, as well as the other departments here in the Northwest Territories that might be affected, which include departments like MACA and ENR, and they are working with the municipalities, obviously, to try to find some solutions to questions that are being raised about exactly how crematorium services and the disposition of by-products might be addressed. I understand from my department, and I'll certainly need to seek some clarity, that there is nothing outstanding in Health and Social Services that would eliminate or challenge the existence of a crematorium here in the Northwest Territories.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

**MR. O'REILLY:** Merci, Monsieur le President. I want to thank the Minister for that, and I hope that he can share the clarity or insight that he's going to get from his department with me. I just want to nail this down, Mr. Speaker: can the Minister confirm that there are indeed no actual barriers in our legislation or

regulations that would prevent the operation of a crematorium in the Northwest Territories? Mahsi, Mr. Speaker.

**HON. GLEN ABERNETHY:** The Member is correct; there is no territorial law or regulation that prohibits the practise of cremation in the Northwest Territories. As I said prior to the private Member's bill, the Public Health Act actually provides the Chief Public Health Officer with the authority to take reasonable measures as she or he considers necessary in the circumstances to protect public health. So it existed. The private Member's bill, which is a great example of how to move forward a private Member's bill in this Legislation, is going to strengthen that, but it was available already.

I can say that officials from the Departments of Municipal and Community Affairs, ENR, and Health and Social Services did meet with the city in June of 2018 to determine the full scope of other regulatory changes that may be required, but none of those exist within Health and Social Services. It's our understanding that, currently, there is nothing that limits it, but the city does have some challenges that they want some questions answered on. I understand that work is under way so that we can, all together, move forward and see cremation occur here in the Northwest Territories.