

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

QUESTION 791-18(3): CREMATION REGULATIONS

August 12, 2019

MR. O'REILLY: Merci, Monsieur le President. My questions are for the Minister of Health and Social Services. On September 27, 2017, my private Member's bill, the Health Statutes Amendment Act, was passed. The Minister committed to develop regulations as a priority. His department released a Key Elements for Discussion document on May 1, 2019, soliciting input on regulations. Can the Minister describe what he has in mind for regulations of cremation services? Mahsi, Mr. Speaker.

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

HON. GLEN ABERNETHY: Thank you, Mr. Speaker. As the Member indicated, we did release a discussion document on May 1st with an opportunity for feedback until the end of May. We did receive two submissions, and, based on that information, we have issued some drafting instructions for the regulations. In broad terms, and, I mean, I could spend a significant amount of time going into the detail, but I am not going to, but, in broad terms at this point, based on the feedback that we received, we feel that the regulations are going to be quite consistent with that key elements document that was released previously. I encourage anybody who wants the details to actually go online and read the document rather than having me quote the entire document verbatim, at length, which would take a significant amount of time, and I see we only have 28 minutes left. I am pretty sure I could take up the entire time.

MR. O'REILLY: I have actually got the document and have read it, and I would not want the Minister to suffer any more pain today in discussing the document at great length, but can the Minister tell us a little bit more about who submitted comments and generally what those comments were on the discussion paper?

HON. GLEN ABERNETHY: The document was posted on the Health and Social Services website, and it was also distributed to a number of stakeholders that included the Departments of Municipal and Community Affairs, Environment and Natural Resources, the City of Yellowknife, the Towns of Inuvik and Hay River, funeral providers or the individuals providing those services in each community, and the NWT Association of Communities. Comments, as I indicated, and input were accepted till May 31st, and, from that process, the department did receive two responses, both of which were positive.

MR. O'REILLY: I want to thank the Minister for that detail. Can the Minister tell us, though, what he knows about what the remaining steps are to ensure that this is a fully regulated field: what other departments, orders of government are involved; what the remaining obstacles are to make sure that a service, a funeral home, say for example here in Yellowknife, can actually offer cremations?

HON. GLEN ABERNETHY: There is no territorial law or regulation prohibiting the

practice of cremation in the Northwest Territories. The department and I did commit to developing regulations under the Public Health Act in 2019, and these will provide essentially greater support and certainty to providers who may wish to offer cremation services in the territories. Having said that, Mr. Speaker, the department is responsible for regulation of cremation that is limited to public health matters, such as handling the body and disposing of human waste materials. Other aspects of cremation actually fall under the mandates of other different GNWT departments, like Environment and Natural Resources is responsible for water use through the Land and Water Board licensing, and effluents such as sewage monitoring or emissions, which would be air regulations. Municipal and Community Affairs is responsible for areas related to municipal bylaws, and the municipality has some responsibility on licensing and allowing cremation in their individual communities. So it's a number of bodies. Health and Social Services is focused on the public health components, but we are working together with all of the partners to try to find a way to make this a reality as quickly as possible.

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

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for that response. I believe earlier he said that he hoped the regulations would be in place by the end of the calendar year. Can he just confirm that again for me and let me know what work his officials are continuing to do to ensure that this happens by the end of the year?

HON. GLEN ABERNETHY: The Member and I have been talking about this particular issue for four years. I would really love to say that they are going to happen, the regulations are going to happen, right away. We did issue drafting instructions in June to the Department of Justice, but, unfortunately, as the Member knows, the individuals who were working on those regulations are the same ones who are helping us move a number of pieces of legislation that are before us today and through the next two weeks through the House. As a result, they did not have the time or the resources to do the regulations immediately. They have indicated to us that they intend to make it a priority in August, after this sitting is done, and we are hoping that we can get these done as quickly as possible. I think it's safe to say that, with an election and everything else happening, we probably will not see the regulations until the end of the calendar year, but it will get done. Thank you, Mr. Speaker.