

1984 BILL 260

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 260

**AN ACT TO AMEND THE PREARRANGED
FUNERAL SERVICES ACT**

MR. ZIP

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 260
Mr. Zip

BILL 260

1984

AN ACT TO AMEND THE PREARRANGED FUNERAL SERVICES ACT

(Assented to , 1984)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 The Prearranged Funeral Services Act is amended by this Act.

2 Section 7 is amended by adding the following at the end of it:

(4) Interest earned on money paid under a prearranged funeral plan shall be either

(a) paid no less than once a year to the person who made the payment, or his personal representative, or

(b) held in trust on the same basis as the money paid under the plan.

whichever is agreed upon between the licensee and the person who made the payment.

(5) Interest held in trust pursuant to subsection (4) shall be deemed to be part of the money held under the prearranged funeral plan for the purposes of this Act.

(6) Where a prearranged funeral plan is cancelled, the licensee may, notwithstanding subsection (2), withhold a reasonable fee to cover his administrative costs in connection with the plan, from the money held in trust.

Explanatory Notes

1 This Bill will amend chapter P-14 of the Revised Statutes of Alberta 1980.

2 Section 7 presently reads as follows:

7(1) Money paid to the Public Trustee or a trust company pursuant to section 6 may, at any time on reasonable notice, be paid out in whole or in part

(a) to the person who made the payment or his personal representative, on the joint authorization of the licensee and the person who made the payment or his personal representative, or if the licensee is not available or refuses to authorize repayment on the direction of the Director, or

(b) to the licensee, on production of proof of the death of the person on whose behalf the payment was made and proof that the funeral services have been provided.

(2) Every prearranged funeral plan shall contain a provision stating that all the money paid under it may be withdrawn in the manner specified in subsection (1) without payment of a penalty or other charge.

(3) A person who pays money under a prearranged funeral plan is entitled to such interest on the money paid under the plan as may be agreed upon by himself and the licensee.

3 Coming into force.

3 *This Act comes into force on January 1, 1985.*