

## REGISTRAR'S DIRECTIVE

### Archaeological Assessments & Investigations on Cemetery Lands April 11, 2018

The Registrar, *Funeral, Burial and Cremation Services Act, 2002*, Bereavement Authority of Ontario, requires that professionally licensed archaeologists retained to conduct any invasive type of archaeological assessments or investigations within a cemetery, submit a request to the Registrar for an Investigation Order prior to commencing the assessment. The Investigation Order will relieve the archaeologist of the prohibition and liability related to the intentional disturbance of a human burial within a cemetery.

The request to conduct an archaeological assessment or investigation must include at a minimum a summary of the Stage 1 archaeological report as recommended by the Ministry of Tourism, Culture & Sport's Standards & Guidelines for Consultant Archaeologists (S&G's) – See link:

[http://www.mtc.gov.on.ca/en/publications/SG\\_2010.pdf](http://www.mtc.gov.on.ca/en/publications/SG_2010.pdf) and also provide:

1. The contact information and permission of the owner of the cemetery land.
2. The reason why this activity is necessary and what results are expected.
3. What the manner of the assessment or investigation will entail.
4. Proposed date of commencement of the activity.
5. Confirm that the archaeological assessment will be in keeping with the S&G's and the *Funeral, Burial and Cremation Services Act, 2002* and Ontario Regulation 30/11.
6. Provide the PIF (Project Information Form) number obtained from the Ministry of Tourism, Culture & Sport.

An Investigation Order is required whenever archaeological investigations are contemplated to verify and/or determine the boundaries of a cemetery or any similar situation where the records, maps and plans of the cemetery cannot confirm the existence and exact locations of burials within that cemetery.

Should human remains be discovered **outside** the known and defined boundaries of a cemetery, all work should be **halted**, and the Coroner and Police **must** be notified. If the human remains are determined to not be of forensic interest the matter must then be reported to the Registrar, Ministry of Government and Consumer Services.

Note: The S&G's also recommended that archaeological assessments be undertaken within 10 m of the known boundaries of a cemetery prior to the issuance of municipal permits etc. that authorize excavations, invasive land activity or construction activity.

Please contact the BAO at [info@thebao.ca](mailto:info@thebao.ca) or (647) 483-2645 for further information.

*Carey Smith*

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Registrar

*Funeral, Burial and Cremation Services Act, 2002*

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