

McMILLAN BINCH LLP

KNOWLAW™

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Funeral Homes Participating in the Bereavement Register

Dear Sir or Madam:

Re: The Bereavement Register and Canadian Law

McMillan Binch LLP has provided legal advice to the REaD Group in developing its Privacy Policy and its Bereavement Register program. McMillan Binch believes that if informed consent is obtained from the deceased's personal representative (or the deceased before death), then the Bereavement Register program will comply fully with Canadian law concerning the privacy of personal information. Starting January 2004, Canada will impose obligations on every business engaged in commercial activities to protect personal information and to ensure that individuals understand how their personal information is being used and consent to its use.

Funeral homes participating in the Bereavement Register program need not worry about the operation of the *Personal Information Protection and Electronic Documents Act*, in relation to the Register, provided that they ensure that the personal representatives of the deceased are given brochures explaining the Bereavement Register, and the Privacy Policy. They should have a Client Consent Form completed to provide an authorization for the personal information of the deceased to be sent to the REaD Group. If they obtain a lawful consent, then funeral homes will face no legal liability for forwarding the information. Funeral homes should retain copies of any consents that are sent electronically to the REaD Group.

You may wish to contact your own lawyers to ask what your business otherwise needs to do to get ready for the *Personal Information Protection and Electronic Documents Act*.

Yours truly,



R.S.G. Chester