

<https://www.iccfa.com/government-legal/model-guidelines/glossary-terms>

Glossary of Terms

Developed in 1998 by the Government and Legal Affairs Task Force of the International Cemetery and Funeral Association

ALTERNATIVE CONTAINER: A non-metal receptacle or enclosure, without ornamentation or a fixed interior lining, which is designed for the encasement of human remains and which is made of cardboard, pressed-wood, composition materials (with or without an outside covering), or pouches of canvas or other materials.

ARRANGEMENT CONFERENCE: The meeting occurring either at need or preneed between the seller and the purchaser during which funeral and cemetery merchandise and services are discussed.

ARRANGEMENT CONFERENCE FEE: The charge to the purchaser in conjunction with the arrangement conference.

***AT NEED:** At the time of, or immediately following, death.

AUTHORIZING AGENT: One who is lawfully authorized to control the final disposition of the human remains.

***BELOW-GROUND CRYPT:** A pre-placed enclosed chamber, which is usually constructed of reinforced concrete, poured in place or pre-cast unit installed in quantity, either side by side or multiple depth, and covered by earth or sod and known also as a lawn crypt, turf-top crypt, etc.

BENEFICIARY: One who benefits from an act, such as one for whom a prepaid contract is entered into or the successor-in-interest of a life insurance policy.

***BURIAL:** The placement of human remains in a grave space.

BURIAL PERMIT: A legal document issued by a local regulatory authority authorizing final disposition of human remains.

CASH ADVANCE: Any item of service or merchandise described to a purchaser as a "cash advance", "accommodation", "cash disbursement", or similar term. A cash advance item is also any item obtained from a third party and paid for by the seller on the purchaser's behalf. Cash advance items may include, but are not limited to, cemetery or crematory services; pallbearers; public transportation; clergy honoraria, flowers; musicians or singers; nurses; obituary notices; gratuities; and death certificates.

CASKET: A rigid container which is designed for the encasement of human remains and which is usually constructed of wood, metal, or like material, and ornamented and lined with fabric.

***CEMETERY:** A place that is established, maintained, managed, operated, or improved and which is dedicated to and used or intended to be used for the final disposition of human remains and their memorialization.

***CEMETERY AUTHORITY:** Any person (as defined) that owns or controls a cemetery or conducts cemetery business.

*CEMETERY PURPOSES: Any and all business and activities requisite to, necessary for, or incident to establishing, maintaining, operating, or improving a cemetery, interring human remains, and the care, preservation, and embellishment of a cemetery.

*COLUMBARIUM: A structure or room or space in a building or structure used or intended to be used for the inurnment of cremated remains.

*COMMINGLING: The mixing of cremated remains of more than one decedent.

*CREMATED REMAINS: The bone fragments remaining after the cremation process, which may include the residue of any foreign materials that were cremated with the human remains.

*CREMATED REMAINS CONTAINER: A receptacle in which cremated remains are placed awaiting final disposition.

*CREMATION: The irreversible process of reducing human remains to bone fragments through intense heat and evaporation, in a specifically designed furnace or retort, which may include any other mechanical or thermal process whereby the bone fragments are pulverized, or otherwise further reduced in size or quantity. Cremation is a process and is not a method of final disposition.

CREMATION CHAMBER: The enclosed space in which the cremation of human remains is performed.

*CREMATION CONTAINER: An enclosed receptacle, which is combustible, rigid, and leak-resistant, that is designed for the encasement of human remains prior to and during cremation.

CREMATION PERMIT: A legal document issued by a local regulatory authority giving permission for cremation of the deceased.

CREMATORY: A structure containing a furnace or retort used or intended to be used for the cremation of human remains.

CREMATORY AUTHORITY: Any person (as defined) that owns or controls a crematory.

CREMATORY OPERATOR: Any person (as defined) who conducts or performs a cremation.

*DEATH CERTIFICATE: A legal document containing vital statistics pertaining to the life and death of the deceased.

*DECEASED/DECEDENT: One who is no longer living.

*DEDICATION: The process by which a legal description of a cemetery site is filed with a declaration that the property is to be used exclusively for cemetery purposes.

*DIRECT DISPOSITION: Any final disposition of human remains, without formal viewing, visitation, or ceremony with the body present.

*DIRECT DISPOSER: A person (as defined) authorized by law to practice direct disposition.

*DISINTERMENT: The act of removing human remains that have been interred.

EMBALMER: One authorized by law to engage in embalming.

EMBALMING: A procedure whereby human remains are chemically treated by injection for temporary preservation including, but not limited to, the act of disinfecting, preserving, and restoring the human remains to a natural life-like appearance.

*ENCASEMENT: The placement of the human remains in a rigid container, including but not limited to, a casket or urn.

*ENDOWMENT CARE: The maintenance and repair of all places in the cemetery, subject to the rules and regulations of the cemetery authority; may be known also as endowed care, perpetual care, improvement care, permanent care, etc.

*ENDOWMENT CARE TRUST FUND: An irrevocable trust fund set aside by law with a trustee, with the income therefrom to provide for the endowment care of the cemetery.

*ENTOMBMENT: The act of placing human remains in a mausoleum crypt.

*FINAL DISPOSITION: The lawful disposal of human remains whether by interment, burial at sea, scattering, etc.

*FUNERAL: The rites held commemorating the deceased with the human remains present.

*FUNERAL DIRECTING: The act of conducting funerals and counseling with survivors and preparing human remains, other than by embalming, for the interment or other means of disposition, and may include the management and supervision of all operations in a funeral establishment, which may or may not include the practice of embalming.

*FUNERAL DIRECTOR: One authorized by law to engage in funeral directing.

FUNERAL ESTABLISHMENT: A place of business used in the care, planning, and preparation for final disposition or transportation of human remains, or any place where one or more are engaged and represent themselves to be engaged in the business of embalming or funeral directing.

*GRAVE SPACE: A space of ground in a cemetery that is used or intended to be used for in ground burial.

*GUARANTEED PRICE PREPAID CONTRACT: A prepaid contract whereby the seller agrees to receive from the purchaser a definite purchase price as payment in full.

HOLDING FACILITY: An area within or adjacent to the crematory, which is a facility designated for the temporary retention of human remains prior to the cremation.

*HUMAN REMAINS: The body of a decedent and includes the body in any stage of decomposition and cremated remains.

*INTERMENT: The final disposition of human remains by burial, entombment, or inurnment.

*INTERMENT RIGHT: The right to inter human remains in a particular interment space in the cemetery.

*INTERMENT RIGHT OWNER: The person (as defined) who lawfully possess an interment right.

*INTERMENT SPACE: A space intended for the final disposition of human remains including, but not limited to, a grave space, mausoleum crypt, niche, and below-ground crypt.

*INURNMENT: The act of placing cremated remains in a receptacle including, but not limited to, an urn and depositing it in a niche.

*MAUSOLEUM: A chamber or structure used or intended to be used for entombment.

*MAUSOLEUM CRYPT: A chamber of a mausoleum of sufficient size for entombment of human remains.

*MEMORIAL: Any product, other than a mausoleum or columbarium, used for identifying an interment space or for commemoration of the life, deeds, or career of some decedent including, but not limited to, a monument, marker, niche plate, urn garden plaque, crypt plate, cenotaph, marker bench, and vase.

*MEMORIAL CARE: Any care provided or to be provided for the general maintenance of memorials including, but not limited to, resetting or repairing or replacing damaged memorials.

*MEMORIAL RETAILER: Any person (as defined) offering or selling memorials retail to the public; may also be known as a memorial retailer.

*MEMORIAL SERVICE: A ceremony commemorating the deceased without the human remains present.

*MEMORIALIZATION: Any permanent system designed to mark or record the names and other data pertaining to a decedent.

*MERCHANDISE: Any personal property offered or sold by any seller for use in connection with the funeral, final disposition, memorialization, or interment of human remains, but which is exclusive of interment rights.

*NICHE: A space usually within a columbarium used or intended to be used for inurnment of cremated remains.

*NON-GUARANTEED PRICE PREPAID CONTRACT: A prepaid contract whereby the seller reserves the right to assess additional fees in the future over and above the purchase price stated in the prepaid contract.

*OPENING AND CLOSING: The process of making an interment including, but not limited to, administrative, clerical, legal, and mechanical services performed by the cemetery authority in conjunction with the opening of an interment space, in preparation for the interment of human remains, and the subsequent closing of the interment space after the interment has been performed.

*OUTER BURIAL CONTAINER: A container which is designed for placement in the grave space around the casket or the urn including, but not limited to, containers commonly known as burial vaults, grave boxes, and grave liners.

*PERSON: Any individual, firm, corporation, partnership, joint venture, limited liability company, association, trustee, government or governmental subdivision, agency, or other entity, or combinations thereof.

*PREARRANGEMENT: The term applied to completing the details for selection of merchandise or services on a preneed basis, which may or may not include provisions for pre-funding or prepayment.

*PREDEVELOPED: Designated areas or buildings within a cemetery that have been mapped and planned for future construction but are not yet completed.

*PREDEVELOPED INTERMENT SPACE: An interment space that is planned for future construction but is not yet completed.

*PREDEVELOPED INTERMENT SPACE TRUST FUND: The funds required by law to be held in trust until the predeveloped interment spaces are completed.

*PRE-FUND: The term applied to completing the financial details of a prearrangement, which include provisions for funding or prepayment.

*PRENEED: Any time prior to death.

*PREPAID CONTRACT: A written contract to purchase merchandise or services from the seller on a preneed basis.

*PREPAID CONTRACT TRUST FUND: The funds received pursuant to a prepaid contract which are required by law to be held in trust until the merchandise or services purchased pursuant to such contract are delivered or provided or until otherwise lawfully withdrawn.

*PRE-PLAN: The term applied to prearrangements that do not include provisions for funding or prepayment.

*PROVIDER: A person (as defined), who may or may not be the seller, who will actually provide the merchandise and services under the terms of a pre-funded prearrangement.

*PURCHASE PRICE: The amount paid by the purchaser for merchandise and services purchased under a prepaid contract, exclusive of finance charges, sales tax, charges relating to interment rights, arrangement conference fees, or charges for credit life insurance.

*PURCHASER: The person (as defined) who purchases a prepaid contract either on its behalf or on behalf of a third party beneficiary.

*REGULATORY AUTHORITY: The person (as defined) empowered by law with statutory oversight.

*REINTERMENT: The act of interring human remains that have been disinterred.

RESIDUE: Cremated remains, which are imbedded in cracks and uneven spaces of the cremation chamber or in the cremated remains container, that cannot be removed through reasonable manual contact with sweeping or scraping equipment. Materials left in the cremation chamber after completion of the cremation or in the cremated remains container that can be reasonably removed should be considered in excess of residue.

*SCATTERING: The final disposition of cremated remains by lawful dispersion.

*SELLER: Any person (as defined) offering or selling merchandise or services on a preneed basis including, but not limited to, funeral establishments, cemetery authorities, crematory authorities, memorial retailers, direct disposers, etc.

*SERVICES: Any services which may be used to care for and prepare human remains for burial, cremation, or other final disposition; and arrange, supervise, or conduct the funeral ceremony or the final disposition of human remains.

SOLICITATION: Contact by a seller to a prospective purchaser for the purpose of selling merchandise or services on a preneed basis.

SPECIAL CARE: Any care provided or to be provided, that is supplemental to or in excess of endowment care, in accordance with the specific directions of any donor of funds for such purposes.

*SUCCESSOR-IN-INTEREST: A person (as defined) who lawfully follows another in ownership or control of property or rights.

*TRUSTEE: Any person (as defined), state or national bank, trust company, or federally insured savings and loan lawfully appointed as fiduciary over funds deposited by one or more purchasers of a prepaid contract or deposited pursuant to an endowment care trust fund; not be confused with a board of trustees.

*UNCLAIMED CREMATED REMAINS: Cremated remains which are unclaimed for a prescribed period of time from the cemetery authority, crematory authority, direct disposer, or funeral establishment.

*URN: A receptacle for the encasement of cremated remains.

NOTE: Where terms used herein have been defined by the Federal Trade Commission, under the Funeral Industry Practices Trade Regulation Rule (16 CFR 453), those definitions are contained in the "Glossary of Terms" and have been adapted where applicable