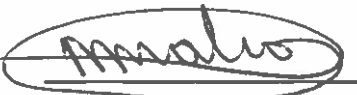


MBHASHE LOCAL MUNICIPALITY CEMETERY POLICY 2025/2026

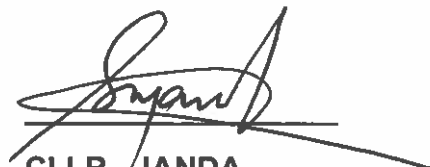


APPROVED BY:



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DATE: 19/06/2025

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1. BACKGROUND

Under the Local Government Act 1993 the Public Health (Disposal Bodies) Regulation 2012 E and the Local Government :Control of Cemeteries Amendments Act 1966 cemetery authorities (Councils) are required to set up policies and procedures in regards to the control ,management and operation of council's cemeteries.

Cemeteries have cultural, historical, social and religious values to the community. Mbhashe Local Municipality manages and maintains its cemeteries guided by sound conservation and non—discrimatory principles so that the significances for all members of the community are retained.

2. POLICY PURPOSE

2.1 This policy is developed to provide principles that underpin Mbhashe Local Municipality management of cemeteries, in order to comply with legislative requirements and offer a beatified and considerate memorial service to all members of the community and its visitors.

2.2 To provide for cemeteries for the burial of dead bodies and crematoria for cremation of dead bodies.

2.3 To provide for procedures, methods and practices to regulate the burial and exhumation of dead bodies.

2.4 To provide for grave plot and the maintenance thereof.

2.5 To provide effective, efficient and appropriate operation of Mbhashe Local Municipality.

2.6 Provide an expedient service for the interment of deceased residents.

2.7 Management cemeteries according to what is required by legislation and relevant standards.

3. DEFINITIONS

Ashes	Means the cremated remains of a body.
Bern	Means a concrete strip laid by the municipality on a grave plot, on which a memorial stone is to be erected.
Body	Shall mean any dead human body ,including of any stillborn child
Burial	Means burial in the earth or some other form of internment and shall include any other mode of disposal of a body.
Burial Order	Means an order issued in terms of the Births and Deaths Registration Act no 51 of 1992
Cemetery	Means any burial place which as contemplated in section 3 has been duly set apart by the municipality for the burial or disposal of bodies within the municipal area of Mbashe.
Coffin	Means any form of opaque shell which completely encloses the body and is of sufficient strength to bear the weight of a body without collapsing

4. APPLICATION AND SCOPE

4.1. The municipality may acquire, hold and alienate land for the purpose of establishing cemeteries and crematoria.

4.2. The municipality may set aside cemeteries or any section thereof to be maintained by the municipality

5. LEGISLATIVE FRAMEWORK

There is a range of legislation which apply to burial and the management of cemeteries. Cemetery regulations, and this policy are based upon legislation including:

- 5.1 Constitution Act 108 of 1996
- 5.2 Local Authorities Cemetery order of 1977
- 5.3 Health and Safety at Work of 1974
- 5.4 Environmental Protection Act of 1990

- 5.5 Municipal Structures Act no 117 of 1998
- 5.6 Municipal Systems Act no 32 of 2000
- 5.7 Public Health Act of 2021
- 5.8 Births, Deaths and Marriages Act of 1995
- 5.9 Conservation of Cemeteries Act of 1974
- 5.10 Privacy and personal Information Protection Act of 1998
- 5.11 Public Health Act of 1991
- 5.12 Work Health and Safety of 2011
- 5.13 Work Health and Safety Regulation 2011

6 MAIN TOPICS WITH THEIR SUB-TOPICS

6.1 Policy Procedure

General

- 1.1.1. The present policy applies to all cemeteries under care, control and management of Mbhashe Local Municipality.
- 1.1.2. The council does not permit any person to undertake any activity within the cemetery unless the activity has been approved by the Senior Manager.
- 1.1.3. Graves shall be prepared (dug) by the family of the deceased and shall be accordance with Public Health Act of 1991 and Public Health Regulations 2012, work , health and safety regulations.
- 1.1.4. All activities which take place within any cemetery grounds shall comply with relevant work cover and work, Health & Safety requirements.
- 1.1.5. Cemetery areas are subject to maintenance or construction or cemetery clean—up programmes.
- 1.1.6. If required, the council shall inform the public prior to the execution of any major maintenance or construction or cemetery clean—up programmes.
- 1.1.7. Any items that are considered to be hazards or disruptive to the public will be removed by the Municipal staff.
- 1.1.8. Municipality will maintain a register of all burials in accordance with Public Health Act.

6.2 Burial Application

1.2. Burials will not take place at Mbashe Local Municipality unless the Municipality has received a Burial application in respect of a burial in cemetery.

1.3. An application for a burial must be submitted on the official form accompanied by the appropriate fee.

1.4. Application must be received by Mbashe Local Municipality not less than two full working days prior to burial time.

1.5. Notification of oversize graves are to be received at least two working days prior to burial.

1.6. Two or more people may be named as joint holders of a Burial permit.

1.7. Burials shall be conducted in accordance with the regulations of the Public Health Act of 2010, Public Health Regulations 2002 and Public Health Regulations 2011 and all other relevant legislation.

1.8. Burial shall take place during the hours approved by the Council.

1.9. Burials outside these times may be arranged however will incur additional charges.

All graves must be labeled by their family before they left the graveyard.

1.3. Lawn Burials

9.1.1. All graves in Mbashe Local Municipality are to be dug to double depth of 5 metres.

9.1.2. New interments must take the next available plot in the sequence.

9.1.3. All monumental works carried out in cemeteries are subject to prior approval by Mbashe Local Municipality to any person it considers adequately qualified to carry out the work.

9.1.4. This will include all documentation as required by Mbashe Local Municipality.

9.1.5. All monuments and monumental work must comply with AS 4204—1994 Headstones and Cemetery Monuments.

9.1.6. Mphashe Local Municipality will only grant a monumental permit if it deemed appropriate.

Alert the Mphashe Local Municipality offices before the cleaning and painting of monuments by next—of kin may be allowed.

9.1.7. Any structure that after being assessed is considered to be a hazard and represents a risk for staff and cemetery visitors will be removed by Municipal officials.

1.4. Cemetery Plaque

Where plaques are missing after a period of three months, the cemeteries administrative officer shall write to the family informing them that the plaque has already been missing requesting a wording and indicating that if a reply is not received within one month Municipality will affix a plaque with standing wording. No offensive wording shall be placed on any plaque, Municipality has a right to word or reword a plaque order form.

1.5. General Policy Provisions

8.9A certificate of reservation in respect of any grave plot may be transferred, assigned or alienated with the written consent of the municipality.

8.10 All particulars in regard to every reservation and transfer in terms of sub—section (1) shall be entered and shown in the register of burial and graves.

8.11 No person shall acquire any title to or ownership of any grave plot reserved in terms of section 10 or set apart in terms of sub—section (3) and no person shall acquire any right to or interest in any such grave plot or land in any cemetery.

8.12 Fees are set by the council and are reviewed and approved annually

8.13 All payments are required in full in advance of the service being provided

8.14 There is separate pricing list for non—residents of the town

7. IMPLEMENTATION

Step-by-Step: How to implement effective policies and procedures

1.1.1 Consultation with the affected stakeholders

1.1.2 Tailor the policy to your business

12.3 Define obligations clearly – be specific

12.4. Make the policy realistic

12.5: Publicise the policies and procedures

12.6: **Train all employees in policies and procedures.**

8. REVIEWAL

This policy shall be reviewed on annual basis depending on the change in legislation and dynamics of the environment within which the Mhashe Local Municipality operates.

