

ULUNDI LOCAL MUNICIPALITY

INDIGENT BURIAL POLICY

“ The City of Heritage ”



DEPARTMENT OF COMMUNITY SERVICES

REVIEW

2024/ 2025

The policy on Paupers and Indigent Burials will be there to guide Council, Officials and Individuals, Community and Funeral Undertakers on the handling the above.

1. INTERPRETATION/DEFINITIONS

In these by-laws, unless the context otherwise indicates.

"**Adult**" means a deceased person over the age of 12 years;

"**Body**" means the remains or any portion thereof any deceased person;

"**Cadaver**" means a dead human body.

"**Cemetery**" means any land or part thereof with the municipality duly set aside by the Council as a cemetery;

"**Child**" means a deceased person who is not an adult;

"**Crematory**" means the room in the crematorium which houses the cremation refractory.

"**Indigent person**" means destitute persons who has died ins indigent circumstances, or if no relative or other person, welfare organization or NGO can be found to bear the burial or cremation costs of such deceased person. The Ulundi Municipality can bury such a person as a pauper.

"**Registrar of deaths**" means any person appointed as registrar of deaths in terms of the Birth, and Deaths Registration Act, 1992 (Act No. 51 of 1992);

"**Non-resident**" means any person who at the time of his death was not a resident of the Ulundi Municipality.

"**Officer in charge**" means any person authorized by the Council to be in control of any cemetery and in the case of a crematorium, the registrar of such crematorium; Ulundi Municipality Policy on Pauper Indigent and Unknown burials

"**Office hours**" means Monday to Thursday 07h30 to 16h30 and Fridays 07h30 to 15h15. Excluding Saturday, Sunday and Public holidays.

"**Pauper**" means a person who has died as an unknown person or if no relative or other welfare organization or NGO can be found to bear the burial or cremations of such deceased person. Pauper are buried three in a grave.

"**Plot**" means any area laid out any cemetery for not less than two and not more than ten graves adjoining each other, in respect of which the exclusive right to enter has been acquired in terms of these by-laws;

"**Registrar of deaths**" means any person appointed as registrar of deaths in terms of the Birth, and Deaths Registration Act, 1992 (Act No. 51 of 1992);

"**Regulation**" means a regulation published in terms of the Ordinance;

"**Resident**" means any person who, at the date of his death ordinarily resided in the municipality or who for at least six months immediately prior to such date was the owner of fixed property in the municipality;

"**Working hours**" from Monday to Friday as determined from time to time by the Council to be normal working hours.

2. INDIGENT BURIAL

An indigent person is defined as a person who died in indigent circumstances within the geographic boundaries of Council where relative cannot afford to cover the cost for the burial or cremation of the deceased person, and who are registered in the Council's Indigent Register.

2.1 The Indigent family must be registered with the Department of Corporate Services (Customer Care Division) prior the application for burial service.

2.2 If the applicant is not in the indigent register, they must first apply for Department of Corporate Services to be included in the Council indigent register before they are assisted.

2.3 Once application is approved, the municipality may issue out burial, free grave and food voucher to the applicant.

2.4 The municipality may not issue out any document relating burial to the applicant after issuing vouchers and burial.

2.5 The Municipality may collect and transport deceased bodies of qualifying applicant from all Municipalities situated in the Zululand District Municipality. Indigent residents of Ulundi Municipality found to have died while at Empangeni, Richards Bay, Mthonjaneni, Nkandla, Nquthu and Durban.

3. APPLICATION FOR INDIGENT BURIAL, FREE GRAVE AND FOOD VOUCHER FROM THE COMMUNITY

Ulundi Municipality Policy on Indigent burial:

An application for an indigent burial within the community of Ulundi, will only be considered and approved should: -

3.1 The relevant application forms must be completed and signed. Annexure "A" must be signed by the Ward Councillor. Attached to this document are the following original copies that must be attached.

3.2 Identity document of the diseased,

3.3 Death Certificate BR5

3.4 Deceased cancelled ID/ smart card

3.5 Applicant ID / smart card

3.6 Confirmation status of indigence (Indigent register) by Department of Corporate Services Customer Care Division

3.7 An affidavit signed by the Ward Councillor confirming that the deceased is from his/her Ward.

3.8 Police affidavit in case where a diseased or applicant lost their ID/ Smart Card, or it is a still born with handwritten death certificate from Department of Home Affairs.

3.1 FREE GRAVE

An applicant will indicate during application for burial if they will require free grave or not.

If free grave is required, a memorandum to be submitted to Director Corporate Services for Ntukwini Cemetery and Chief Financial Officer for St Francis Cemetery to allocate graves.

Grave number to be allocated to applicant, the Department of Community Services to ensure that all applicant records filed and kept safe.

3.2 FOOD VOUCHER

All food vouchers must be approved by the Municipal Manager.

In cases where Municipal Manager is not available, HOD for Community Services and/ or Chief Financial Officer to approve vouchers.

One voucher will be issued per diseased person not per family.

Food voucher shall be a value of R1000,00 only.

Uncollected vouchers must be cancelled weekly by HOD.

Food voucher to be collected only by the applicant and they must produce ID.

Upon purchase of groceries applicant ID must be produced or relative ID with letter from the Municipality approving the purchase by relative.

The appointed services provider must sign the contract with Municipality and must ensure that they comply with conditions of the contract.

4. PAUPER BURIAL

A pauper is defined as a person who has died as an unknown person within the geographic boundaries of Council subject to Section 62(2) of the National Health Act no. 63, of 2003 as amended, "Shall be buried or cremated at the discretion of Council".

Subject to the provision of the Imports Act, 1959 and the said Birth, Marriages and Deaths Act no. 51 of 1992, a person who has died as a pauper in a hospital or other institution: shall be the responsibility of that hospital or institution care.

4.1 A pauper shall be buried in a cemetery as determined by Council, without a headstone, upon the approval by the Accounting Officer.

4.2 The relevant application forms must be completed and Signed Annexure "B". Attached to this document are the following original copies that must be attached.

4.2.1 Request letter from the Institution

4.2.2 ID document of diseased and date of death

4.2.3 Death Certificate BR5

4.2.4 Burial Order-BI-14

4.2.5 SAPS BL20

4.2.6 SAPS Report with a case number

4.2.7 Report by Social Worker of the Institution/ Reporting Officer

4.2.8 Permission to bury by SAPS or Magistrate Court

4.2.9 An application for free grave must be submitted to the municipality.

5. FUNERAL UNDERTAKER

Any ground can be set aside by the Council for a cemetery and no person shall inter a body or cause it to be interred in any other place within the municipal area. No person shall, save with the prior written consent of the council, dispose of or attempt to dispose of a body, other than any internment in a cemetery or cremation in a crematorium.

Subject to section 62 of the National Health Act} 2003 (Act 63 of 2003) no undertaker shall contract of bury or cremate anybody in any cemetery or crematorium under the control of the Council.

5.1 The undertaker is in a possession of a certificate of competence

5.2 The premise from which the undertaker operates is zoned in accordance with planning for such a business.

5.3 The requirements relating to funeral undertaker's premises are in accordance with Act. 63 of 2003.

5.4 The premises are subject to inspection.

The Council reserves the right to refuse permission to any undertaker to undertake business in any cemetery or crematorium under its jurisdiction if such undertaker is not in compliance with this policy and if the undertaker is in default of any payment of tariffs.

5.5 At funeral, the undertaker must supply, erect, operate and remove all lowering equipment's using own labour.

5.6 At certain circumstances, the Municipality employees must help to close the grave.

6. COUNCIL SUPPORT

Council may provide the following support for Indigent /Pauper burial:

- Free grave
- Transportation
- Mortuary services
- Coffin, food voucher and
- Any other support Council deem necessary.

7. FILING OF DOCUMENTS

All documents must be accurately filed and monitored weekly by Deputy Director and HOD.

Admin Office must keep register book where applicant will sign when collecting vouchers.