

ULUNDI TLC**ANNEXURE E: CEMETERY BY-LAWS**

These by-laws should be read in conjunction with the KwaZulu-Natal Cemetery and Crematoria Act No. 12 of 1996

DEFINITIONS

- CEMETERY** - refers to the cemetery situated in unit Q Ulundi.
- ADULT** - means any deceased person of age 12 years and over
- CHILD** - means any deceased person under the age of 12
- COUNCIL** - means the Ulundi Transitional Local Council
- GRAVE** - means any grave in which any person has obtained the right of having a single or more bodies interred
- OFFICIAL** - means a person in the employ of the council.
- TOMBSTONE** - means a tombstone or any other fixture, nameplate, decoration or ornament.
- OPERATOR** - means the Regional Council, local council, tribal authority, body or person in direct control of the operation of a cemetery or crematorium, and includes any person authorized by the operator to act on its or his or her behalf.

1. Application for internment: On application the relevant fees, as indicated in the schedule of Tariffs must be paid to the TLC and the application must be made on the forms as prescribed by the operator. The applicant must also provide the operator with a burial order issued in terms of the Act. Exhumation will be done according to the Act.

No internment shall be permitted in the cemetery except upon production to the operator of a burial order issued in terms of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992), save in cases otherwise provided by the said Act.

No human remains shall be buried except in a cemetery.

2. A cemetery shall be opened during the times as determined by the council. No person shall be buried between sunset and sunrise.

3. No child under 12 years of age shall be admitted inside a cemetery, unless such child is in the company of an adult.
4. No person shall enter or leave a cemetery except through the proper entrance gates or shall enter any office or enclosed area in the cemetery except with permission from the operator.
5. No person shall sit, stand or climb upon or over any gravestone monument, gate wall, fence or building in a cemetery.
6. No person shall cut/uproot a tree or shrub any plant or any gravesite without the permission of the operator.
7. No person shall be actively engaged in business or place any advertisement without the written approval of the operator.
8. No person shall play any games in the cemetery.
9. No person shall disturb/take soil, or in any way interfere with any grave or creation in the cemetery.
10. No person shall hold or take part in any demonstration in a cemetery without the written consent of the council.
11. No domestic animals shall be allowed in a cemetery.
12. No person shall obstruct, resist or oppose in the course of his duty or refuse to comply with any order or request by the operator.
13. Fees shall be paid according to the schedule of tariffs before any interment will be allowed.
14. No person shall use or cause a cemetery to be used for immoral acts.
15. No person shall transfer or sell the rights of any grave without the consent of the council.
16. Notice shall be given to have a body interred not less than 24 hours before the actual interment.
17. No grave shall be opened without written consent of the council.
18. All coffins to be placed in a grave shall be made of material as approved by the operator.
19. A deceased newly born or still born and his deceased mother or which ever applicable may be buried in the same grave at a fee for a single interment of an adult.

FUNERALS

20. The members of a religious denomination may conduct religious ceremonies in connection with any interment or memorial service, according to the rights of such denomination provided it is done at the allocated area.
21. No person shall convey any dead body in an unseemly manner or expose any such body or any part thereof in any street, cemetery or public place within the jurisdiction of the TLC.
22. No music shall be played inside a cemetery without the permission of the operator.
23. No firearms/crackers/fireworks shall be allowed inside a cemetery without permission of the operator.

EXHUMATION OF BODIES AND RE-OPENING OF GRAVES

24. No person shall exhume or cause any body to be exhumed or removed without written consent from the council.
25. No exhumation or removal of a body would be allowed in the absence of medical officer of health or his authorized representative.
26. No exhumation will be done when the cemetery is open to the public.
27. No person shall open any grave without the written approval from the Council.

ERECTION AND MAINTANANCE OF TOMBSTONES

28. No person shall erect, alter, print, clean, renovate, decorate, remove or otherwise, interfere with any tombstone or cut any inscription on any memorial in a cemetery without the written consent of the operator.
29. No person shall erect any tombstone without prior approval of a plan submitted to the operator.
30. Should the tombstone fall into disrepair the council may either effect repairs or remove and dispose of the tombstone as it deemed fit and will not be liable for any claim whatsoever.
31. Any person engaged upon any work in a cemetery shall do so under the close supervision of the caretaker.