



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$7.20

WINDHOEK - 21 October 2013

No. 5322

CONTENTS

Page

GENERAL NOTICE

No. 412 Town of Ondangwa: Cemetery Regulations: Local Authorities Act, 1992 1

General Notice

TOWN OF ONDANGWA

No. 412

2013

CEMETERY REGULATIONS: LOCAL AUTHORITIES ACT, 1992

The Town Council of Ondangwa, after consultation with the Minister of Regional and Local Government, Housing and Rural Development, has under section 94(1)(k) of the Local Authorities Act, 1992 (Act No. 23 of 1992), made the regulations set out in the Schedule.

L.S. NEGONGA
CHAIRPERSON OF THE COUNCIL
BY ORDER OF THE COUNCIL

Ondangwa, 23 August 2013

SCHEDULE

ARRANGEMENT OF REGULATIONS

PART 1

PRELIMINARY PROVISIONS

1. Definitions

PART 2
CONTROL OVER INTERMENTS AND CEMETERIES

2. Disposal of bodies
3. Permission to interment
4. Free burial
5. Hours of admission to cemeteries
6. Children
7. Visitors to keep to paths
8. Soliciting business, distribution of tracts and business cards and advertising prohibited
9. Disturbance of soil and plants
10. Animals in cemetery
11. Vehicles prohibited
12. Obstruction of superintendent
13. Rights to ground in cemetery
14. Validity of written permission, notice or other documents
15. Firearms

PART 3
GRAVE SPACES AND INTERMENT

16. Reservations of grave space
17. Certificate of exclusive right of burial in a grave
18. Register of transfer
19. Registration of grave spaces
20. Fees for duplication of documents
21. Payment of fees
22. Alteration of day of burial
23. Dimensions of grave space
24. Dimensions of graves
25. Burials in graves
26. Interment of ashes
27. Disturbing of human remains
28. Grave alignments and encroachments

PART 4
FUNERALS

29. Notice of attendance of mourners
30. Notice of interment
31. Religious ceremonies
32. Exposure of bodies
33. Days and hours of interment
34. Directions of superintendent

PART 5
EXHUMATION OF BODIES, RE-OPENING OF GRAVES AND CARE OF GRAVES

35. Exhumations
36. Time of exhumation
37. Screening of exhumation operation
38. Removal by Council of body from one grave to another
39. Care of graves and grave spaces
40. Planting of shrubs

PART 6
ERECTION AND MAINTENANCE OF MEMORIAL WORK

41. Vaults and brick grave
42. Erection of memorial work
43. Rejection of memorial work
44. Conduct in cemetery
45. Defacing monument
46. Repair of memorial work
47. Supervision of work
48. Damage to memorial work
49. Regulation of construction of memorial work
50. Vehicles and tools
51. Rubbish and debris
52. Prohibition of work on weekends and holidays
53. Unsuitable weather
54. Production of permit

PART 7
CREMATION

55. Deposits of ashes
56. Deposal of ashes
57. Memorial work
58. Liability disclaimer by the Council
59. Material for memorial work
60. Permanent wreaths
61. Book of remembrance
62. Visit to garden of remembrance

PART 8
GENERAL PROVISIONS

Annexures

- Annexure A
- Annexure B

PART 1
PRELIMINARY PROVISIONS

Definitions

1. In these regulations, a word or an expression to which a meaning has been assigned in the Local Authorities Act, 1992 (Act No. 23 of 1992), bears that meaning and, unless the context otherwise indicates -

“adult” means a person over the age of 12 years;

“ashes” means the remains of a body after cremation in a crematorium;

“body” means the body of a deceased human being or the body of a still born child;

“cemetery” means a piece of ground established by the Council for the purposes of interment of bodies;

“child” means a person under the age of 12 years or less;

“Council” means the Town Council of Ondangwa;

“cremate” means to reduce any human remains to ashes by burning or the application of heat;

“crematorium” means any building fitted with appliances for cremation, including everything essential, incidental or ancillary to cremation and includes any structure approved by the Council as a crematorium;

“grave” means any excavation, within -a cemetery, prepared for the interment-of a body;

“grave space” means any piece of ground within a cemetery laid out for a grave;

“identification tablet” means a small block of concrete fixed at the foot or head of a grave which displays the number of the grave;

“interment or inter” means the burial, laying to rest, consign to the grave, entomb or earth up of a body including the burying, committal, entombment, inhumation, a funeral, or funeral rites;

“memorial work** -means any tombstone,- headstone, railing, fence, monument, inscription or other work erected, or which may be erected, upon any grave;

“notice of interment” means a notice in the form as set out in Annexure B;

“owner” in relation to a grave space means the person who has acquired the exclusive right of interment in such grave space as provided for in regulation 19;

“prescribed fee” means the appropriate fees as prescribed by the Council from time to time in terms of section 30(1)(u) of the Local Authorities Act, 1992;

“Registrar of Deaths” means any person appointed as a Registrar of Births and Deaths in terms of section-of-the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963);

“superintendent” means the person in the service of the Council who from time to time holds the appointment of superintendent: parks and gardens and includes any person acting on his or her behalf;
“the Act” means the Local Authorities act 1992, (Act No. 23 of 1992); and

“town clerk” means the person in the service of the Council who from time to time holds the appointment of chief executive officer, or any person acting on his or her behalf; and

“vault” means an enclosed space covered with an arched roof, a burial chamber, wholly or partly underground.

PART 2

CONTROL OVER INTERMENTS AND CEMETRIES

Disposal of bodies

2. (1) A person may not dispose of any body except by the process of cremation in a properly constituted crematorium or by interment.

(2) Subject to the provisions of Part 7, a person may not inter any body in any place other than a cemetery without the written permission of the Council.

(3) A person who contravenes subregulation (1) or (2) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Permission to interment

3. (1) A person may not inter or cause to be interred any body or the ashes of a cremated body in a cemetery unless -

- (a) in the case of a body, a written order signed by the Registrar of Birth and Deaths is submitted to the superintendent along with the notice of interment;
- (b) in the case of ashes, the cremation certificate or a copy thereof certified by a commissioner of oaths, is submitted to the superintendent along with the notice of interment;
- (c) in all cases where an inquest has been held, a magistrate's written authority for interment together with the notice of interment, is submitted to the superintendent;
- (d) the prescribed fees have been paid; and
- (e) the interment occurs in accordance with an arrangement with the superintendent.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Free burial

4. The Council may, on application by any person, and in its discretion, inter any body free of charge, in such place and manner as it regards appropriate.

Hours of admission to cemeteries

5. Every cemetery is open to the public on every day of the week during such hours as the Council may determine by rules, but the Council may temporarily close any cemetery or portion of a cemetery for such period as determined by the Council.

Children

6. A child may not enter any cemetery unless he or she is under the care of a person who is approved by the superintendent.

Visitors to keep to paths

7. (1) A person may not -

- (a) enter a cemetery or depart from it except by the entrance gates; or
- (b) leave a road or path in a cemetery, except for purposes permitted by these regulations or for the purpose of going to a grave-space.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Soliciting business, distribution of tracts and business cards and advertising prohibited

8. (1) A person may not solicit or conduct any business, order or exhibit, distribute or leave any tract, business card or advertisement within a cemetery or use a cemetery road or path for the conveyance of any goods or other articles except when they are intended for use in the cemetery.

(2) The superintendent may remove from a cemetery any person who in his or her opinion is holding or taking part in a demonstration, creates any nuisance or commits an unseemly or indecent act in that cemetery.

(3) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such a fine and such imprisonment.

Disturbance of soil and plants

9. (1) Except where it is expressly permitted by these regulations, no person other than the superintendent, may pluck any flower or remove, destroy or damage any tree, shrub or plant, whether wild or cultivated, which grows in a cemetery or remove or disturb the soil under or about it or in any way interfere with any grave or structure in a cemetery.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Animals in cemetery

10. (1) A person may not bring into a cemetery any bird or animal without the prior consent of the superintendent, which the superintendent may grant, after he or she is satisfied that such bird or animal is under the supervision and control of a responsible person.

(2) The Council may, without payment of any compensation to the owner, destroy or impound any bird or animal found in the cemetery without authorisation from the superintendent and the owner of that bird or animal is liable for any damage that may have been caused by that animal or bird.

Vehicles prohibited

11. (1) A person may not bring into a cemetery any vehicle or cycle except vehicles used for conveying a body, or conveying the immediate family of a deceased person, or conveying a minister of religion.

(2) A vehicle conveying goods for use in a cemetery may, with the permission of the superintendent, enter the cemetery and the driver of that vehicle must act under the direction of the superintendent while in the cemetery.

(3) Other vehicles may enter the cemetery with the permission of the superintendent.

(4) A person who contravenes subregulation (1) or (2) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Obstruction of superintendent

12. A person who obstructs, resists or opposes the superintendent in the performance of his or her duties or refuses to comply with any order given by the superintendent in terms of these regulations commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Rights to ground in cemetery

13. A person may not acquire any right to, or interest in, any ground in any cemetery other than such rights or interests which have been acquired in terms of these regulations.

Validity of written permission, notice or other documents

14. No written permission, notice or other document issued by the Council under these regulations is valid unless it is signed by the staff member of the Council.

Firearms

15. (1) A person may not-

- (a) bring into a cemetery an unlicensed firearm; or
- (b) discharge any firearm in a cemetery; except in the case of a funeral service at which military honours are paid or for official security reasons.

(2) A person who contravenes this regulation commits an offence and is liable under the penalties provided for in the Arms and Ammunition Act, 1996 (Act No. 7 of 1996).

PART 3
GRAVE SPACES AND INTERMENT

Reservation of grave space

16. (1) The Council may reserve land in a cemetery for subdivision into grave spaces and may grant to any person the exclusive right of interment in any allocated grave space subject to payment of the prescribed fee and to the provisions of these regulations.

(2) Any person desiring to reserve the use of any grave space referred to in subregulation (1) must apply to the superintendent on a form provided by the Council.

(3) The superintendent may grant an application and allocate the grave space referred to in subregulation (2).

(4) Any reservation of a grave space granted to a person under this regulation is valid for a period of 12 months ending 30 June each year, and such person may renew such reservation upon payment of the prescribed fees, provided that a pro-rata amount is leviable in the first year.

(5) Where a person who has made a reservation under this regulation fails to renew the reservation, the superintendent must in writing notify that person that the reservation should be renewed within 30 days from the date of the notice, failing which the reservation will lapse and the Council has the authority to re-allocate such grave space.

(6) If a person fails to comply with a notice in terms of subregulation (5) or the notice is unclaimed, the reservation must automatically lapse without further notice and in such event the Council may re-allocate the grave-space concerned.

Certificate of exclusive right of burial in a grave space

17. The superintendent must issue a certificate of exclusive right of interment in a grave space, as set out in Annexure A, to any person who has been allocated a grave space under regulation 17.

Register of transfer

18. (1) A right to a reserved grave space allocated under these regulations is not transferable except with the approval of the superintendent.

(2) Every transfer of a reserved grave space in accordance with subregulation (1) must be registered and the prescribed fee must be paid by the transferee, before transfer is effected.

(3) A transfer which does not comply with the conditions referred to in subregulation (2) is invalid.

Registration of grave spaces

19. The Council must maintain a register in which all burials must be recorded, and a separate register must be maintained of the grave spaces reserved in terms of these regulations.

Fees for duplication of documents

20. A person requiring a certified extract from the register of burials, or a certificate of transfer and registration of transfer of a grave space, must pay the prescribed fees.

Payment of fees

21. All fees and charges payable under these regulations in respect of the interment of a body or ashes must be paid to the Council by the person signing the notice of burial and the Council must issue a receipt for every payment.

Alteration of day of burial

22. Where the day or hour previously fixed for interment is altered to a later stage, notice of such alteration must be given to the superintendent not less than four hours before such interment.

Dimensions of grave space

23. The maximum dimensions of a kerb or bordering of a grave must be as follows:

- (a) adult's grave 2,20m x 1,10m
- (b) child's grave 1,50m x 0,75m.

Dimensions of graves

24. (1) The dimensions of the aperture for any grave must be as follows:

- (a) for adults:
 - length: 2m
 - width : 0,8m
 - depth : 2,44m; or
 - length: 2m

width : 0,8m
depth : 1,83m; and

- (b) for children:
length: 1,5m
width : 0,6m
depth : 1,22m.

(2) Any person requiring an aperture of larger dimensions for any interment must, in the notice of burial concerned, give the maximum overall dimensions of the coffin, including its fittings and the Council must then provide a grave space for such dimension.

Burials in graves

25. (1) Subject to subregulation (2), a person may not inter more than two bodies in a grave space unless authorized to do so by the superintendent.

(2) Despite subregulation (1), the Council may, with the written consent of the magistrate and a superintendent of the Council, and on good cause shown, give permission for a third body to be buried in a grave in which not more than two bodies have been buried.

(3) Where early and rapid decomposition has commenced, or for any reason on the recommendation of the town clerk, the Council may, before the time fixed for interment, inter a body, provided the person who signed the notice of interment is informed of the time of such interment.

(4) Where it is known that a person has died of a contagious disease, the body concerned must be interred in accordance and instructions of the medical health officer registered in terms of the Health Act, 1988 (Act No. 21 of 1988) and that of the Council.

(5) The top of every coffin containing the body of an adult must be at least 1,20m below the ordinary surface of the ground, and that of a coffin containing the body of a child at least 1,10m below the ordinary surface of the ground.

Interment of ashes

26. (1) An urn, casket or receptacle containing the ashes of a body must, upon payment of the prescribed fee, be buried or placed in the space or place set aside for the purpose by the Council.

(2) The Council may give permission for the burial of an urn, casket or receptacle containing ashes in a grave space, subject to payment of the prescribed fee by the person giving the notice of interment.

Disturbing of human remains

27. A person may not disturb any human remains or any soil adjacent thereto in a cemetery, except for a purpose expressly permitted by these regulations.

Grave alignments and encroachments

28. (1) Every person must, in erecting a memorial work, enclose the grave space in such a manner as to secure uniformity of alignment and straightness of the memorial work.

(2) Any person who, in carrying out the work referred to in subregulation (1), fails to comply with the requirements of that regulation or encroaches on any road, path or adjoining

ground or grave space, must, if required by the superintendent, remedy the defect or remove that encroachment.

(3) If the person referred to in subregulation (2) fails to remedy the defect or remove the encroachment in accordance with the superintendent's requirement, the whole of the work carried out may be removed by the Council, and such person is liable for all costs incurred by the Council.

PART 4 FUNERALS

Notice of attendance of mourners

29. Where mourners in excess of 50 are expected to be in attendance at the interment the person giving notice of such interment must notify the fact to the superintendent before the day of interment.

Notice of interment

30. A burial ceremony may not take place unless a notice on a form set out in Annexure B has been given to the superintendent at least 48 hours prior to such interment.

Religious ceremonies

31. The members of any religious denomination may with the approval of the Council, conduct religious ceremonies in connection with any interment or memorial service, at places determined by the Council.

Exposure of bodies

32. A person may not convey any body in a manner that may expose the body or any part of it in any street, cemetery, or public place.

Days and hours of interment

33. (1) Except with the written consent of the staff member, no burial may take place on a Saturday, Sunday or a public holiday.

(2) Where the staff member grants permission in terms of the subregulation (1) for a burial on a Saturday, Sunday or a public holiday, the person undertaking the burial must pay an extra charge as prescribed and must make all necessary arrangements with the superintendent and the Council may not be held responsible for any delay in such arrangements.

(3) A person may not commence any burial between 17:00 and 09:00 except in cases of extreme urgency and in any such case the superintendent must record the reasons for such urgency and all other information regarding the interment.

Directions of superintendent

34. Any person taking part in a funeral procession or ceremony must comply with the directions of the superintendent while that person is within the cemetery.

PART 5
EXHUMATION OF BODIES, RE-OPENING OF GRAVES AND CARE OF GRAVES

Exhumations

35. (1) A person may not exhume a body or re-open a grave except after obtaining authorisation in writing from the Council and must carry out the exhumation in accordance with these regulations and any other law governing such exhumations.

(2) A notice of exhumation must be submitted to the superintendent at least two days before the date of the proposed removal of the body, except in cases of emergency where an arrangement may be made to meet such emergency.

Time of exhumation

36. The exhumation of a body must take place during such time as permitted by the superintendent.

Screening of exhumation operation

37. The grave from which any body is to be exhumed must be effectively screened from view during the exhumation, and a suitable coffin to receive the exhumed body must be kept in readiness.

Removal by Council of body from one grave to another

38. (1) If at any time the exhumation and removal of a body becomes necessary, or if any body was buried in a grave in contravention of these regulations, the Council may, subject to any other law, cause such body to be removed from that grave to another grave.

(2) The removal of a body in terms of subregulation (1) must take place after every near relative of the deceased person concerned, resident within the Council area, and whose address is known, has been notified of the intended removal.

(3) If no relative of the deceased person concerned is located, the Council may, remove such body after a notice by the Council of the intended removal has been given in accordance with subregulation (4).

(4) The notice referred to in subregulation (3) must be placed in two newspapers circulating in Namibia once per month for two consecutive months, stating the name, identity number and last address of the deceased and notifying relatives that the body will be removed to another grave at a time and date specified in that notice which date must not be later than 30 days after the date of the last notice.

Care of graves and grave spaces

39. The Council is responsible for keeping grave spaces free from weeds and other undesired plants.

Planting of shrubs

40. (1) A person may, with the permission of the superintendent, plant a shrub, plant, tree or flower upon a grave.

(2) Subject to subregulation (3) a person may not without the consent of the superintendent, cut or remove any shrub, plant, tree or flower planted on a grave.

(3) Despite subregulation (2), the Council may in its discretion, prune, cut down, dig up or remove any shrub, plant, tree or flower planted on a grave at any time without paying any compensation to the owner of such grave space.

(4) A person who contravenes this regulation commits an offence and is liable on conviction to pay a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

PART 6 ERECTION AND MAINTENANCE OF MEMORIAL WORK

Vaults and brick grave

41. (1) A person may not construct a vault or a brick grave in any part of a cemetery without the prior consent of the superintendent, or inter any body in any vault or brick grave, except on the condition that immediately after interment the grave must be filled up with earth to the satisfaction of the Council.

(2) Regulations 24 regarding the depths of graves applies to a grave referred to in subregulation (1).

Erection of memorial work

42. (1) A person may not commence with any work for the construction or erection of any vault, brick grave or memorial work in a cemetery unless the superintendent, in writing, approves of the drawing and specification or a description of the work concerned, and no deviation from the drawing and specification or description may be made, except with the written consent of the superintendent.

(2) Any drawing and specification or a description of a work submitted to the superintendent for approval in terms of subregulation (1) must be accompanied by the prescribed application fee.

(3) A person may not erect any vault, brick grave or memorial work upon any grave except in such position as the superintendent may indicate.

(4) A person may not bring any material into a cemetery for the purpose of constructing any memorial work or any brick grave or vault on a grave space unless -

- (a) all fees due in respect of such grave space have been duly paid; and
- (b) the superintendent's approval has been given.

(5) A person may not leave any material to be used for construction or a tombstone in a cemetery for longer than seven days without erecting it, failing which the Council may remove such material or tombstone for the account of such person.

(6) Where a memorial work erected on a reserved grave space is removed for the purpose of an interment or any other purpose, the person who removes such memorial work must be responsible for the re-erection of such memorial work.

Rejection of memorial work

43. The Council may reject any proposed memorial work or inscription which, in its opinion, is of inferior quality or which is likely in any way to disfigure any cemetery or calculated to hurt or offend the feelings of the public.

Conduct in cemetery

44. (1) A person may not sit, stand or climb upon or over any memorial work, gate, wall, or fence or any building in a cemetery except with the permission of the superintendent.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Defacing monument

45. (1) A person may not draw, scribble, erect advertisements upon, or in any way mark or deface, any wall, building, fence, gate, memorial work or other erection within or around the Council cemetery except with the permission of the superintendent.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Repair of memorial work

46. If in the opinion of the Council any memorial work falls into a gross state of disrepair the Council may repair such memorial work to an acceptable standard.

Supervision of work

47. A person engaged upon any work in a cemetery must affect such work under the supervision, and to the satisfaction, of the superintendent.

Damage to memorial work

48. The Council is not liable for damage which may at any time occur to any memorial work from any cause whatsoever.

Regulation of construction of memorial work

49. In the construction of any memorial work, the following provisions must be complied with:

- (a) a person erecting a tombstone on any grave must whenever required to do so by the Council, provide a reinforced concrete block extending over the breadth of the grave with each end resting on solid ground to an extent of not less than 30 cm to serve as a solid base of the tombstone. The design and construction of such concrete block must be subject to the approval of the superintendent;
- (b) the underside of every flagstone memorial and the base of every monument or headstone must be set at least 5 cm below the ordinary ground level;
- (c) a person may not construct any border stone which is more than 22cm above the surface of the ground or which extends more than 20cm below the surface of the ground altogether, without the consent of the superintendent;
- (d) any headstone must be securely attached to the base of the grave to the satisfaction of the superintendent;
- (e) no soft stone may be used for any memorial work; and

- (f) the base stone of any monument must be in proportion to the size and weight of the structure to be erected on it, and the superintendent must decide as to the base stone to be used for each monument.

Vehicles and tools

50. Every person engaged to do any work on a grave or grave space must provide the vehicles, tools and other appliances which may be required for such work, but such vehicles, tools or appliances must not be of such a nature that their use constitutes a contravention of these regulations.

Rubbish and debris

51. (1) A person may not leave any rubbish, loose soil, stone or other debris within a cemetery, or in any way damage or deface any part of a cemetery or anything contained in it.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Prohibition of work on weekends and holidays

52. A person may not bring any memorial work or material or do any work within a cemetery from 17:00 on Friday in each week until 9:00 the following Monday, and no memorial work may be done on any public holiday, except with the permission of the Council.

Unsuitable weather

53. A person may not fix or erect any memorial work in inclement weather or while the ground is, in the opinion of the superintendent, in an unfit state.

Production of permit

54. Every person in charge of work, or on his or her way to or from work within a cemetery may, upon demand at any time, produce his or her written permission to carry out such work.

PART 7 CREMATION

Deposit of ashes

55. (1) The Council may provide buildings, niches or other facilities for the deposit and preservation of the ashes of cremated bodies and may further provide memorial tablets of such material as it may approve.

(2) Any matter placed in or on any niche or space for memorial tablets and all inscriptions are subject to the approval of the Council.

(3) The Council may provide a garden where ashes may be scattered (hereinafter called the Garden of Remembrance) or erect a wall in which ashes may be placed (hereinafter called the columbarium).

(4) Niches and spaces must be allocated strictly in sequence and no reservations for future use must be made.

Disposal of ashes

56. (1) An urn or a receptacle for ashes must be provided by the representative of the deceased or by the undertaker, unless ashes are to be scattered in the Garden of Remembrance.

(2) An urn or receptacle to be placed in a niche in the columbarium must be made of terracotta or such other material as may be approved by the Council.

(3) Niches may be closed off with an approved memorial tablet.

(4) A person may not remove an urn containing ashes and deposited in the columbarium without the written consent of the superintendent.

(5) Every niche containing ashes must be sealed by such tablet as may be approved by the superintendent and must only be opened for the purpose of withdrawing the urn or casket contained in it for disposal elsewhere or for the purpose of depositing an additional urn or casket in it.

Memorial work

57. (1) A person may not erect, alter or in any way interfere with any memorial work or make any inscription on the columbarium or in its grounds without the written consent of the Council, which consent must be granted only on production of the written consent of the person who applied for cremation of a body.

(2) A person may not undertake any work referred to in subregulation (1) unless the consent referred to in that subregulation is submitted to the superintendent.

(3) A person who undertakes the work referred to in subregulation (1) must undertake that work continuously until final completion.

(4) A person who undertakes the work referred to in subregulation (1) must undertake that work continuously until final completion.

(5) A person may not, unless he or she is a qualified monumental artisan or a stonemason, erect or construct or attempt to erect or construct any memorial work on the columbarium or its grounds.

(6) The Council may reject any proposed memorial work which, in its opinion, is of inferior quality or, which is likely in any way to disfigure the columbarium or its grounds.

(7) Any person engaged on any work on the columbarium or its grounds must execute such work under the supervision, and to the satisfaction, of the Council and such work must be undertaken during ordinary working hours.

Liability disclaimer by the Council

58. The Council is not liable for any damage to any memorial work from any cause whatsoever, unless the damage has been caused by a staff member of the Council in the course of his or her employment.

Material for memorial work

59. A person who is not authorized by the Council may not introduce any material into the columbarium or into its grounds for the purpose of constructing or erecting any memorial work unless -

- (a) a copy of the proposed inscription has first been submitted to the superintendent and has been approved; and
- (b) all fees due in respect of the grave, niche or memorial tablet have been paid in full as required by the Council.

Permanent wreaths

60. A person may not place a permanent wreath, spray, flower or floral tribute in a columbarium or in its grounds unless the person is authorised by the superintendent.

Book of remembrance

61. A person may not, unless he or she has been appointed by the Council for that purpose, make an inscription in the Book of Remembrance provided by the Council

Visit to garden of remembrance

62. The Garden of Remembrance may be visited at any time between 06:00 and 18:00 every day of the week including Sundays and public holidays.

PART 8
GENERAL PROVISIONS

ANNEXURES

ANNEXURE A**ONDANGWA TOWN COUNCIL****CERTIFICATE OF PURCHASE OF EXCLUSIVE RIGHT OF INTERMENT IN A GRAVE SPACE**

It is hereby certified that

is the holder of the exclusive right of burial in grave space No of the Ondangwa

Town Council cemetery, subject to the regulations relating to the said cemetery, for the period from

..... to

.....
SUPERINTENDENT

Dated in Ondangwa this Day of 20

(This form is to be produced at the time interment is to be made in a reserved grave space).

N.B. No notice that the reservation has lapsed shall be given by the Council to the person concerned and the grave space may at any time after the date of lapsing be re-allocated.

ANNEXURE B**ONDANGWA TOWN COUNCIL****NOTICE OF INTERMENT**

Full name of deceased
 (In block letters)

Sex: Age:

Last residence:

Cause of death:

Date of death: 20 Time: hrs

To be buried on: 20 At: hrs

State where funeral service will take place

What time will remains be transferred to chapel: on:

Name of officiating clergyman:

Name of undertaker:

Number of grave space:

Name of person in whose name grave space is to be registered:

.....

Address:

Name of person responsible for payment of fees:

Address:

.....
 SIGNATURE OF APPLICANT

Date:

NOTE: No interment will be effected unless an interment order as prescribed by the Births, Marriages and Deaths Registration Act, 1963 (Act No 81 of 1963) has been obtained and attached to this notice.
