



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Annexure A

Burial, Crematoria and Cemetery Management Policy

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Acronyms and Definitions

Acronyms

Acronym	Full term
AEL	Air Emission Licence
COVID-19	Coronavirus Disease 2019
EHP	Environmental Health Practitioner
IDP	Integrated Development Plan
MFMA	Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
MoU	Memorandum of Understanding
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NICD	National Institute for Communicable Diseases
NGO	Non-Governmental Organisation
PAIA	Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
POPIA	Protection of Personal Information Act, 2013 (Act No. 4 of 2013)
PPE	Personal Protective Equipment
SAPS	South African Police Service
SPLUMA	Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)
WHO	World Health Organization

Definitions

Term	Definition
above-ground burial	means the interment of a body in a structure located above natural ground level, such as a mausoleum, vault, crypt or surface grave unit.
adaptive reuse	means the process of repurposing a disused or underutilised cemetery, or portions thereof, for alternative but compatible public uses—such as memorial gardens, heritage spaces, ecological restoration areas, or community recreational areas—while preserving cultural, historical and environmental value and ensuring respectful treatment of human remains.

alternative burial	means a burial method using practices or technologies other than traditional in-ground burial, including green burials, reduction burials, or other methods approved by the City, subject to applicable national health and environmental legislation.
authorised official	means an employee of the City responsible for carrying out or exercising any lawful duty, function or power and includes employees delegated to carry out or exercise such duties, functions or powers;
authorised representative	means a person legally authorised by the next of kin, a court, or other recognised authority to make decisions regarding the burial or cremation of a deceased person.
berm section	means a cemetery section where memorial work is limited to a headstone installed on a concrete plinth, with the remainder of the grave covered by ground cover or turf.
biodegradation	means a biological or chemical process used for corpse reduction, where permitted by the City and relevant health and environmental legislation.
burial	means the interment of a body or cremated remains in the ground or within an above-ground structure.
burial order	means an official document issued under the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992) authorising burial.
burial right	means the exclusive right granted and recorded by the City to a burial rights holder to use a specific grave for burial purposes in accordance with this policy and the City's Burial, Crematoria and Cemetery Management By-law.
burial rights holder	means the person to whom a burial right has been granted by the City or in whom that burial right has vested.
cemetery	means any land, whether public or private, designated or used for the burial or interment of human remains, cremated remains, or the establishment of graves, niches, ossuaries or memorial structures situated within the jurisdiction of the City.
cemetery section	means a designated area within a cemetery reserved for specific burial types, memorial practices or religious, cultural or environmental considerations.
City	means the City of Cape Town, a municipality established by City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of

	1998) or any structure or employee of the City acting in terms of delegated authority.
City assisted burial	means the burial or cremation by the City for a deceased person or human remains whose family or legal representatives lack financial means, and for whom no third-party funding (estate, insurance, NGO, religious or welfare organisation) is available.
City-owned cemetery	means any cemetery owned, established, operated or managed by the City within its municipal area, made available for the burial or interment of human remains, cremated remains or for related memorial purposes.
corpse reduction	means any lawful method of reducing a corpse, including cremation, freeze-reduction, biodegradation or any other method permitted under applicable health and environmental legislation and approved by the City where required.
cremated remains	means the remains of a corpse following cremation, consisting of bone fragments and ash.
cremation	means the reduction of a corpse to cremated remains by fire in a crematorium.
cremation certificate	means a certificate issued by the operator of a lawfully authorised crematorium confirming that cremation has been performed in accordance with applicable legislation.
crematorium	means a fixed and lawfully authorised facility designed for the cremation of human remains.
Environmental Health Practitioner (EHP)	means a person appointed or recognised under national legislation responsible for enforcing health requirements, including those relating to human remains, exhumations and emergencies.
exhumation	means the authorised and lawful removal of a corpse or remains from a grave or interment site for reinterment, investigation or other lawful purpose.
freeze reduction	means the lawful reduction of human remains through a process of freezing and fragmentation, resulting in a dry, sterile material suitable for final disposition in accordance with applicable legislation.
funeral undertaker	means any person or entity providing funeral services, including transport, preparation and arrangements for burial, cremation or other lawful disposal of remains.

Garden of remembrance	means a designated cemetery section for memorials, interment of cremated remains, niche walls or scattering of cremated remains.
grave	means any place, below or above ground, in which a corpse or cremated remains are interred, including associated memorial structures.
green burial	means a burial method that minimises environmental impact through the use of biodegradable materials, natural soil burial, absence of embalming and minimal memorial structures.
human remains (corpse)	means a dead human body, including a still-born child, foetus and any identifiable part of such body; <i>For ease of reference and respectful terminology, the policy uses the term "human remains" throughout to include a corpse unless the context requires otherwise.</i>
interment	means the act of placing human remains into a grave, niche, ossuary or other designated resting place.
landscape section	means a cemetery section where memorials are limited to flat plaques or ground-level markers, with landscaped or planted surfaces.
memorial work	means any structure, marker, plaque, headstone, slab, kerb or other item installed to commemorate a deceased person.
monumental section	means a cemetery section with full memorials, such as tombstones and kerbs.
next of kin	means a person legally or formally identified as responsible for decisions regarding the burial or cremation of a deceased person, which may include a spouse, life partner, child, parent, legal guardian, or any person designated by affidavit or written instruction.
niche / niche wall	means a compartment within a wall or structure specifically designed to hold cremated remains stored in an urn.
Officer in Charge	means a City official responsible for on-site management of a cemetery, including administration, operational oversight, and enforcement of this policy.
ossuary	means a chamber, structure or facility designated for the collective or individual placement of skeletal remains after reduction or authorised exhumation.

pandemic/public health emergency	means a declared state of emergency related to public health, requiring changes to standard burial and cremation procedures as guided by the Department of Health and the World Health Organization.
permit	means written authorisation issued by the City or another competent authority, including Burial Orders, Cremation Certificates or Exhumation Permits.
person responsible	means the funeral undertaker, next-of-kin, or other person or organisation arranging or authorising the burial, or their authorised representative.
pilot project	means a controlled, temporary initiative approved by the City to test new burial methods, technologies, service models or cemetery configurations before wider implementation.
private cemetery/ private crematorium	means a cemetery or crematorium not owned or operated by the City but by a person under consent, licence or conditions determined by the City.
private cemetery and crematorium operator	means a person who owns or operates a private cemetery or private crematorium within the geographical jurisdiction of the City of Cape Town
public grave	means a grave managed by the City in respect of which no exclusive burial right has been granted.
reduction burial	means the authorised repositioning and reduction of human remains within an existing grave to allow further interments.
tariff	means a fee or charge approved annually by the City for services related to cemeteries, crematoria and funeral undertakers.
unclaimed human remains	means a deceased person whose identity is known or unknown, and whose body has not been claimed by next of kin or an authorised representative within the timeframe established by the Forensic Pathology Service and applicable national legislation.
universal access	Means the design of cemetery and crematorium spaces that ensures accessibility for persons with disabilities, older persons and people with mobility challenges.

How to read this policy:

This policy is structured to guide both internal City officials and external stakeholders, such as funeral undertakers, community organisations, and members of the public, through the City 's approach to the planning, regulation, and delivery of cemetery, crematoria, and burial services.

The City plays multiple roles in this system:

1. **Regulator** – The City sets and enforces standards for cemeteries, crematoria, and funeral undertakers, ensuring that all services comply with legal, environmental, and ethical requirements.
2. **Provider** – The City directly provides cemetery space, cremation services, and City-assisted burials and cremations for persons requiring burial assistance. It also maintains cemeteries as public spaces, contributing to the quality and dignity of the built environment.
3. **Enabler** – The City enables access to quality burial and memorial spaces by working with private and community-based partners. It supports innovation, sustainable practices, and alternative service models where appropriate.

The policy is organised into three main parts:

1. **Policy Framework (Clauses 1–8):**

These clauses set out the foundational context—defining the purpose, legislative and strategic alignment, vision, principles, and scope. This part provides the conceptual and legal basis for how the City approaches burial services across its various roles.

2. **General Policy Directives (Clause 9):**

This clause outlines the City's directives for all operational aspects of cemeteries and crematoria, including burial practices, interment rules, exhumation procedures, cemetery maintenance, funeral conduct, cremation, private sector regulation, and new service options (such as green burials). These directives apply to all users and service providers within the City's jurisdiction.

3. **Specific Policy Provisions for City assisted burials (Clause 10):**

Recognising the unique needs of vulnerable residents, this section provides targeted directives on how the City ensures dignified burial or cremation for individuals requiring burial assistance from the City, including eligibility criteria, application processes, and service standards.

The final clauses (11–12) cover the appeals process and the mechanisms for monitoring and evaluating implementation.

1. Introduction

- 1.1. The City's Integrated Development Plan outlines a vision in which the City designs and manages quality public spaces and facilities, including cemeteries, where communities can gather in a safe and welcoming place.
- 1.2. Cemeteries provide significant public value in urban spaces by serving as places of remembrance, cultural expression, and historical continuity, reflecting the diverse identities and heritage of a city's communities. They also offer pockets of green, contemplative space in dense urban environments—contributing to mental well-being, biodiversity, and a sense of collective belonging.
- 1.3. Regulating cemeteries, crematoria, and funeral undertakers ensures that burial and cremation practices are safe, dignified, and respectful of cultural and religious diversity.
- 1.4. Providing burial assistance for eligible persons plays an important role in upholding dignity by ensuring that individuals receive respectful and culturally appropriate funeral services, regardless of their financial means.
- 1.5. This Policy outlines the City's approach to fulfilling its constitutional and statutory duty of regulating cemeteries, crematoria and funeral undertakers as well as developing and maintaining quality public spaces. The policy also sets out the City's approach to providing City assisted burials persons in Cape Town.
- 1.6. The City's *Burial or cremation of destitute persons policy* (2015) has been incorporated into this policy. The provisions of the 2015 policy have been reviewed as part of the development of this policy and the aforesaid 2015 policy will be withdrawn once the new Burial, Crematoria and Cemetery Management Policy has been approved.

2. Problem Statement

- 2.1. **Cemetery space:** There is a shortage of vacant cemetery space, exacerbated by population growth and increasing burial demand. This places pressure on existing facilities and highlights the need to optimise available space, expand future capacity, and promote alternative burial and cremation options. Heritage considerations, environmental constraints and competing demands for dedicated memorial spaces further limit the availability of suitable land and require clear policy direction.
- 2.2. **Service delivery, resources and coordination:** The effective management of cemeteries and crematoria requires adequate resources, appropriate skills, efficient systems and strong coordination across relevant City departments. Growing service demands, competing priorities and resource constraints place pressure on the City's ability to maintain facilities, manage operations and respond to evolving community needs. These challenges highlight the need for innovative and sustainable management approaches, strengthened institutional capacity,

enhanced staff development, and improved coordination to support efficient, safe and dignified service delivery.

- 2.3. **Data systems:** Existing information management systems are not fully integrated or digitised, limiting operational efficiency, oversight and access to accurate records. Strengthening data systems is necessary to improve accountability, support service delivery and ensure the integrity of burial and cremation information
- 2.4. **Safety and security:** Cemeteries are increasingly affected by trespassing, vandalism and theft, which compromise visitor safety, damage infrastructure and undermine the dignity of burial spaces. These challenges highlight the need for strengthened security measures, improved site management and collaborative approaches to maintaining safe and accessible public places.
- 2.5. **Funeral undertakers:** The City relies on funeral undertakers as key service delivery partners. However, inconsistent registration, compliance and payment practices create administrative and operational challenges. Strengthened oversight, accountability mechanisms and collaboration with the funeral sector are required to support effective cemetery management.
- 2.6. **Burial and Cremation Options:** While the City seeks to accommodate diverse cultural, religious and personal preferences, balancing these needs with operational, spatial and regulatory considerations can be challenging. Expanding awareness and accessibility of a broader range of burial and cremation options will be important to meeting future demand and supporting informed choice.
- 2.7. **City assisted burials:** Ensuring equitable access to dignified burial and cremation services remains a challenge where information relating to next-of-kin, religious or cultural preferences, and financial circumstances is limited or difficult to verify. This highlights the need for clear eligibility criteria, appropriate administrative processes, and collaborative approaches to ensure assistance is provided fairly, consistently and sustainably.
- 2.8. **Awareness and education:** The City faces a challenge in that residents are not always aware of the available burial options, and the associated costs of these services, which can undermine the extent to which family members can make informed and thoughtful choices during a difficult time. The lack of awareness or understanding of alternative burial options that support densification and environmentally sensitive practices such as cremation, shared graves, or vertical burials, places additional strain on already scarce cemetery space.
- 2.9. **Burial rules and compliance for cemeteries:** Consistent understanding and application of burial rules across cemetery users, families, religious groups and funeral service providers remain a challenge. This can affect the safe, orderly and dignified management of cemeteries. Clear communication, appropriate compliance measures and consistent implementation of burial rules are necessary to support effective cemetery operations while respecting diverse cultural and religious practices.

3. Desired Outcomes

Long-term vision

The City's long-term vision is to develop cemeteries and crematoria as dignified, inclusive and sustainable spaces that meet the burial and memorial needs of current and future generations. As places of remembrance, heritage and collective memory, cemeteries and crematoria should contribute to community wellbeing, cultural continuity and the network of quality public spaces across the city.

Policy Objectives

3.1. Ensure sustainable burial capacity and environmental resilience

Plan for and manage cemetery and crematorium capacity to meet current and future demand, including optimising existing space, developing new facilities, and promoting alternative and environmentally sustainable burial practices.

3.2. Strengthen governance, regulation and compliance

Establish and enforce clear regulatory frameworks and processes to ensure safe, lawful and dignified burial and cremation practices, including effective oversight of funeral undertakers and consistent application of burial rules.

3.3. Enhance operational efficiency and institutional capacity

Improve service delivery through strengthened staffing, skills, systems, and interdepartmental coordination, supported by streamlined administrative processes and appropriate resourcing.

3.4. Ensure dignified, equitable and financially sustainable access

Provide fair and transparent burial and cremation services, including for City assisted burials, with appropriate eligibility verification and cost-recovery mechanisms to ensure sustainability.

3.5. Strengthen information management and public awareness

Modernise and integrate information systems to improve accountability and service delivery, while promoting public awareness of burial and cremation options to support informed decision-making and sustainable cemetery management.

4 Legislative and Regulatory Environment

The following legislative framework guides the policy development, parameters and enforcement:

Legislation	Alignment
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Schedule 5B of the Constitution of the Republic of South Africa, 1996	Part B of Schedule 5 of the Constitution provides that cemeteries, funeral parlours and crematoria are local government matters.
Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)	Section 73 of the Local Government: Municipal Systems Act, places a general duty on municipalities to give effect to the provisions of the Constitution.
National Health Act, 2003 (Act No. 61 of 2003)	Section 32(1) of this Act provides that every Metropolitan and District Municipality must ensure that appropriate Municipal Health Services are effectively and equitably provided in their respective areas.
Regulations: General control of human bodies, tissue, blood, blood products and gametes	These Regulations published in Government Notice R180 in Government Gazette No. 35099 dated 2 March 2012, under the National Health Act, 2003 (Act No. 61 of 2003) provide regulation on matters related to the establishment of death, disposal of unclaimed human remains of deceased persons and disposal and conveyance of bodies and tissue.
Regulations relating to the management of human remains	These Regulations published in Government Notice R363 in Government Gazette No. 36473 dated 22 May 2013, under the National Health Act, 2003 (Act No. 61 of 2003) govern funder undertaker's premises and mortuaries, the conveyance of human remains, burial and cremation, handling of radioactive human remains and exhumations and reburials.
Regulations regarding the rendering of forensic pathology service	These Regulations published in Government Notice No. R636 dated 20 July 2007, under the National Health Act, 2003 (Act No. 61 of 2003) are applicable to deaths that are, or appear to be, due to unnatural causes.
Regulations for Hazardous Biological Agents	These Regulations published in Government Gazette Notice No. 7233 dated 27 December 2001, under the Occupational Health and Safety Act, 199 (Act No. 85 of 1993) govern the precautions which employers must take for employees working with hazardous biological agents.

Other relevant legislative and policy informants include:

- Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
- Municipal Fiscal Powers and Functions Act, 2007 (Act No. 12 of 2007);
- Municipal Property Rates Act, 2004 (Act No. 6 of 2004);
- City's Rates Policy;

- City's Tariff Policies;
- City's Supply Chain Management Policy;
- City of Cape Town: Burial, Crematoria and Cemetery Management By-law; and
- City's Credit Control and Debt Collection Policy.

5 Strategic Alignment

This Policy supports and aligns to the following key City policy instruments and aims to implement principles of each of these Council-approved instruments:

Policy instrument	Alignment
Integrated Development Plan (IDP)	OBJ 11: Quality and safe parks and recreation facilities supported by community partnerships.
Municipal Spatial Development Framework (2023)	Spatial Strategy 3: Building an inclusive, integrated, vibrant and healthy city. This includes planning and prioritising for the adequate provision of cemetery space addressing burial demand as well as encouraging alternatives to in-ground burial, such as crematoriums.
Social Development Strategy (2013)	This policy is aligned to Objective 3 of the Social Development Strategy: 'Support the most vulnerable through enhancing access to infrastructure and services' to enable poor families or individuals to access services for a dignified burial or cremation.

6 Guiding Principles

The provisions of this policy are underpinned by the following guiding principles:

- 6.1. **Inclusion and accessibility** mean ensuring that people of all cultural, religious, and socio-economic backgrounds can bury and honour their loved ones with dignity. It also means making cemetery spaces physically accessible, safe, and welcoming for all users, including the elderly and persons with disabilities.
- 6.2. **Respect for religious and cultural tradition** means accommodating diverse burial practices, rites, and beliefs in how people honour their dead and involves designing and managing cemetery spaces in ways that are sensitive to the cultural needs of different communities.
- 6.3. **Environmental sensitivity** means managing these spaces in ways that minimise ecological impact—such as conserving water, reducing emissions, and protecting natural habitats. It also

includes exploring sustainable practices like eco-burials and ensuring that cemetery design contributes positively to urban biodiversity and green space.

- 6.4. **Densification** means using land more efficiently to extend the lifespan of burial grounds and accommodate growing urban populations. This can include practices like reusing graves after a set period, promoting alternative interment options such as niches for cremated remains, and redesigning cemetery layouts to maximise available space.

7 Scope

- 7.1. This policy applies to all cemeteries and crematoria that fall within the geographical jurisdiction of the City.
- 7.2. This policy applies to all funeral undertakers operating within the geographical jurisdiction of the City.
- 7.3. In relation to City assisted burials (Clause **Error! Reference source not found.** of this Policy), this policy applies to:
- (a) Eligible persons who died within the geographical jurisdiction of the City, but not to deceased persons who died in a Provincial hospital or Provincial or National institution (correctional facilities, provincial psychiatric institutions, etc) as burial or cremation for these deceased persons will be provided for by a service provider who has been appointed by the Western Cape Government; and
 - (b) All deceased persons who meet the eligibility criteria set out in Clause 10, including those whose human remains are claimed or remain unclaimed.

8 Roles and responsibilities

The following roles and responsibilities outline the mandates of internal City departments, external stakeholders and regulated entities involved in the management, regulation and delivery of cemetery, cremation and funeral services in the City.

These responsibilities support the City's role as **Regulator**, **Provider** and **Enabler**, and ensure accountability, dignity, and compliance with legislative requirements.

8.1 City Departments and Officials

8.1.1 Recreation and Parks Department

Provider and Operational Lead for City-owned cemeteries and crematoria

Responsibilities:

- (a) Manage and maintain City-owned cemeteries, crematoria and memorial spaces;
- (b) Process burial and cremation applications, including scheduling and allocation of graves or cremation slots;
- (c) Implement the directives on interment practices, grave specifications, memorial work approvals and cemetery section management;
- (d) Uphold funeral rules, crowd management and ceremonial guidelines;
- (e) Coordinate cemetery officers and operational staff;
- (f) Maintain cemetery records, burial registers, registers of cremated remains, ossuary records and mapping;
- (g) Support pilot projects, landscape improvements and adaptive reuse of cemetery sites;
- (h) Deliver City assisted burials and cremations in accordance with clause 10; and
- (i) Accommodate specific allotments for certain religions and cultural practices where possible, where a valid MoU or other agreement exists.

8.1.2 City Health Department (Environmental Health)

Regulator ensuring public health and statutory compliance

Responsibilities:

- (a) Enforce compliance with national health legislation and Regulations relating to the Management of Human Remains;
- (b) Oversee exhumation procedures, including approving permits and deploying Environmental Health Practitioners (EHPs);
- (c) Oversee crematorium emissions compliance, Air Emission Licence (AEL) requirements and stack testing;
- (d) Lead on pandemic-related burial protocols and emergency directives;
- (e) Provide final approval for City assisted burials and cremation applications; and
- (f) Issue health-related directives affecting cemeteries, funeral undertakers, and crematoria operations.

8.1.3 Spatial Planning and Environment

Land-use regulation and spatial alignment

8.1.3.1 Development Management

Responsibilities:

- (a) Evaluate and approve rezoning and land-use applications for new cemeteries and expansions of existing cemeteries, private cemeteries or crematoria;
- (b) Ensure alignment with the Municipal Spatial Development Framework, district plans and SPLUMA requirements; and
- (c) Participate in site identification, feasibility and environmental assessments for new cemeteries.

8.1.3.2 Environmental Management Department

Environmental compliance and green infrastructure alignment

Responsibilities:

- (a) Review environmental impacts of new cemeteries or expansions;
- (b) Support green burial pilots and alternative environmental practices; and
- (c) Ensure compliance with NEMA, biodiversity considerations and groundwater protections.

8.1.4 Finance Directorate

Tariffs, cost recovery, and MFMA compliance

Responsibilities:

- (a) Apply the MFMA, City's Tariff Policy and City's Credit Control & Debt Collection Policy to burial and cremation fees;
- (b) Manage cost recovery in cases of City assisted burials where insurance or estate funding is identified;
- (c) Support budgeting, reporting and internal audit requirements; and
- (d) Evaluate the financial feasibility of new cemetery developments and pilot projects.

8.1.5 Subcouncil Managers, Councillors and Community Interface Staff

Community-facing support and facilitation

Responsibilities:

- (a) Assist residents with burial applications, documentation and verification for burial assistance services;
- (b) Facilitate community engagement for new cemetery sites, pilot projects, adaptive reuse proposals and ceremonial practices; and
- (c) Act as a point of communication between communities and the City on cemetery service issues.

8.2 External Stakeholders

8.2.1 Funeral Undertakers

Registered operators under City regulation

Responsibilities:

- (a) Register with the City and maintain valid registration, and comply with the City's Cemeteries, Crematoria and Funeral Undertakers By-law;
- (b) Adhere to operational rules, tariffs and service standards prescribed by the City;
- (c) Ensure lawful handling, transport, storage and preparation of human remains;
- (d) Provide accurate and complete mandatory documentation, including Burial Orders and Cremation Certificates, and submit such documentation to the City as required;
- (e) Comply with applicable environmental and public health legislation relating to human remains; and
- (f) Cooperate fully with City inspections, audits, enforcement actions, and administrative sanctions.

8.2.2 Private Cemetery and Crematorium Operators

Operators of private burial and cremation facilities

Responsibilities:

- (a) Obtain City consent and operate within the conditions of approval;
- (b) Maintain records in accordance with the City's records management requirements and maintain the grounds, infrastructure and memorials in accordance with applicable City standards;
- (c) Provide access to authorised City officials for inspections; and
- (d) Appoint qualified managers responsible for compliance and record keeping.

8.2.3 Forensic Pathology Services (Provincial Government)

Management of unclaimed, unidentified or forensic cases

Responsibilities:

- (a) Release remains to families or the City once statutory requirements have been satisfied;
- (b) Provide documentation for natural and unnatural deaths; and
- (c) Collaborate with EHPs during exhumations and emergency procedures.

8.2.4 NGOs, Religious Institutions and Welfare Organisations

Community partners

Responsibilities:

- (a) Support bereaved families with pastoral care or financial assistance;
- (b) Notify the City when they are able to fund funerals, affecting City assisted burial or cremation eligibility; and

- (c) Participate in community engagement processes for pilot projects and cemetery developments.

8.2.5 Families, Next of Kin and Burial Rights Holders

Burial Rights Holders and key decision-makers

Responsibilities:

- (a) Provide accurate information on the deceased's financial status in the case of City-assisted burial applications and funeral preferences;
- (b) Apply for burial rights, memorial work and interment where applicable;
- (c) Comply with cemetery rules and maintenance responsibilities; and
- (d) For City assisted burials and cremations: cooperate with verification and provide necessary documentation.

9 Policy Provisions

All activities described in this section must be undertaken in compliance with the National Health Act, 2003 (Act 61 of 2003), the Regulations relating to the Management of Human Remains (Government Notice R363 of 22 May 2013), and any applicable provincial health directives.

9.1 Burials in City-owned cemeteries

The City regulates burials in City-owned cemeteries to ensure the dignified, safe, and lawful management of human remains, while balancing cultural and religious practices with public health, operational, and land-use requirements.

Role: Regulator

9.1.1 Disposal of Human Remains

- (a) The City oversees burial and disposal methods, including in-ground burial, aboveground burial, cremation, and other lawful practices, ensuring all interments comply with national and provincial regulatory requirements through written consent. Specific standards for interment times, coffin specifications, and grave dimensions are set by the City and enforced to maintain orderly cemetery operations.
- (b) Applications for disposal must always be made to the City. The City has the discretion to approve or reject applications based on specific circumstances as outlined in the City's Burial, Crematoria and Cemetery Management By-law.

- (c) Burials can only take place with a Death Certificate and Burial order issued by the Department of Home Affairs. Religious and cultural groups can apply for an exemption from this rule.
- (d) Registered funeral undertakers must ensure that all conveyance of human remains, including storage and transport vehicles, complies with the requirements of the Regulations relating to the Management of Human Remains and any applicable provincial health standards.
- (e) Where deaths are, or are suspected to be, due to unnatural causes, the management, storage and release of human remains will follow the procedures prescribed in the Regulations regarding the Rendering of Forensic Pathology Services. Furthermore, no burial, cremation or exhumation may proceed without the necessary authorisations from the relevant forensic pathology authority.

9.1.2 Interment scheduling and tariffs

- (a) Interments shall be scheduled according to times set by the City, which may be updated periodically. Individuals approved for interment, as outlined in the applicable procedures, will be assigned a specific time slot by the City. Failure to proceed with the interment during the allocated time may result in postponement until an alternative slot becomes available, provided this does not disrupt other scheduled interments.
- (b) In all instances, the City will take into consideration the practices and beliefs of recognised religious and cultural groups when determining interment schedules.
- (c) In exceptional cases, such as emergencies or where religious or cultural customs require it, the City may permit interments outside the standard times.
- (d) The City sets the tariffs for interments annually in accordance with the City's Tariff Policy. Tariffs may be structured to promote efficient utilisation of cemetery services, including encouraging weekday interments to alleviate congestion on weekends and public holidays. Provision shall be made to accommodate religious and cultural requirements that necessitate burial within specific timeframes, where reasonably practicable.
- (e) Interment of cremated remains may be done in family private graves, Niche Walls and Niche boxes and anywhere else the City may prescribe. A Cremation Certificate and the Death Certificate is required unless cremation took place outside SA in which case other evidence may be required.

9.1.3 Coffins and containers

- (a) A coffin must be used for all burials unless specific approval of alternative method/container is preapproved, if the use of coffins is prohibited by religious beliefs and where special permission has been granted by the City.

- (b) The City encourages the use of coffins made from environmentally friendly materials. Coffins should be made, where possible, of natural wood or other biodegradable and non-toxic materials.
- (c) Only one body may be placed in a coffin, except in cases where tradition, custom, or religious belief requires otherwise. In such cases, City pre-approval is required.
- (d) A mother and child who die during childbirth may be interred in the same coffin, with prior consent from the City and payment of applicable fees.
- (e) If more than one body is placed in a coffin, each must be enclosed in a separate body bag.
- (f) More than one coffin may be buried in the same grave on the same day if the family so wishes. If in a private grave, the single grave tariff would be applicable.
- (g) In cases involving unidentified or unclaimed human remains, up to three coffins may be buried in the same grave on the same day, subject to authorisation by the City and the maintenance of accurate burial records, including grave location and identification details, to ensure traceability and proper recordkeeping.

9.1.4 Grave specifications and memorial work

- (a) All graves must follow general size and depth guidelines as established by the City. Applications for non-standard grave sizes must include coffin dimensions and are subject to additional fees.
- (b) The person responsible for the burial must ensure the coffin is properly covered with soil before the conclusion of the ceremony.
- (c) After an interment, all soil, debris, and materials displaced during the digging process must be cleared from surrounding areas, including nearby pathways and graves.
- (d) The person responsible for the burial must take reasonable care to prevent any damage to surrounding graves or cemetery property and must ensure grave walls remain stable during the burial.
- (e) The City reserves the right to level the soil covering the grave and surrounding area after a defined period following the burial.
- (f) All memorial work (for example headstones, plaques, and kerbs) must be approved in writing by the City, with submissions including detailed plans, material specifications, and proposed inscriptions. Memorial work may be installed after burial, subject to City approval; however, the burial rights holder assumes the risk of subsidence or instability resulting from soil settlement.

- (g) Burial rights holders or designated representatives are responsible for regular upkeep of memorials and surrounding grave areas.
- (h) The City may issue formal maintenance notices, requiring repairs or cleaning within a specified period to prevent hazards or deterioration.
- (i) Failure to remedy identified disrepair shall entitle the City to perform necessary maintenance or removal of unsafe memorials at the cost of the responsible party.
- (j) Unauthorised alteration, removal, or damage to memorial work is prohibited and subject to penalties under City regulations, including the City's Burial, Crematoria and Cemetery Management By-law.
- (k) Burial rights holders or designated representatives may contract City-provided or approved third-party services for ongoing grave maintenance, including seasonal cleaning and planting.
- (l) Where graves are unattended or abandoned, the City may assume maintenance responsibilities to uphold safety and aesthetic standards.

9.1.5 Rights of burial in City cemeteries

- (a) Burial rights in City-owned cemeteries may only be granted in accordance with the City's approved procedures and must be recorded in the City's burial register. A person may apply for a burial right in respect of a public grave, subject to payment of the applicable fee and the grave's suitability for additional interments.
- (b) A burial right is not transferable, except upon the death of the burial rights holder, in which case it vests in the next of kin. Consent from the next of kin is required for any subsequent burial if they are not the burial rights holder and object to the burial.
- (c) Burial rights may be voluntarily forfeited in writing by the burial rights holder. Where the burial rights holder is deceased, the burial right may be forfeited by the next of kin in whom the burial right has vested. Such forfeiture may, where applicable, allow for the exhumation of human remains, removal of memorial work or reassignment of the grave, in accordance with applicable legislation and this policy.

9.1.6 Funeral rules and ceremonial practices

The City recognises the importance of cultural and religious practices in burial and memorial processes. To balance the need for culturally sensitive funeral practices whilst maintaining a respectful and dignified environment, the City has set the following rules for funerals and other ceremonies in its cemeteries:

- (a) Members from religious, cultural and spiritual groups may conduct their specific ceremonies at the grave or place of internment without prior permission from the City.
- (b) With the prior consent of the City, music may be utilised at ceremonies. The use of amplified sound equipment is prohibited, and all music must be conducted in a manner that respects the dignity of the cemetery and does not disturb other users or ceremonies.
- (c) A hearse and a limited number of family vehicles, typically including the hearse and up to two family vehicles, may enter the cemetery and proceed to the grave, subject to the City's operational rules. All other mourners must park in designated parking areas unless otherwise authorised by the City.

9.1.7 Exhumations and reinterment

- (a) This policy distinguishes between various types of exhumation as follows:

- i. **Administrative exhumation-** An exhumation undertaken for non-forensic purposes, including emergency reburial, relocation, consolidation of remains, cemetery redevelopment or family request, conducted in accordance with City approval and public health requirements.

Development-related exhumation refers to a sub-category of administrative exhumation undertaken specifically to enable approved development, redevelopment, infrastructure works or land repurposing, and is subject to additional consultation, heritage and planning requirements.

- ii. **Forensic exhumation-** An exhumation undertaken for the purpose of criminal investigation, medico-legal inquiry or inquest, authorised by a court or competent authority and conducted under South African Police Service (SAPS) supervision.
- iii. **Heritage exhumation**
An exhumation involving graves of heritage significance, historical importance or older than the threshold prescribed by heritage legislation, requiring approval from the relevant heritage authority.

- (b) All exhumations must be conducted in accordance with the Regulations Relating to the Management of Human Remains, 2013, applicable legislation, and City by-laws, and must be coordinated through the City in consultation with Environmental Health Services and the South African Police Service (SAPS).
- (c) Exhumations must be applied for through the City Cemetery Booking Office and may only take place following receipt of a written Exhumation Permit issued by the relevant authority in accordance with applicable legislation.
- (d) Any exhumation must be overseen by an Environmental Health Practitioner (EHP) and a registered funeral undertaker or authorised service provider.

- (e) Remains must be reinterred or cremated within 48 hours, unless otherwise authorised due to health, forensic, or operational consideration.
- (f) Where next-of-kin are known, the authorised official must notify them in advance of the exhumation and provide information regarding reinterment or cremation arrangements.
- (g) Where an inquest, criminal investigation, or forensic investigation is required or underway, the exhumation must be conducted under the supervision of SAPS, and in compliance with applicable legal and forensic procedures.
- (h) Emergency exhumations may be authorised where required by law, public health considerations, or a court order.
- (i) All exhumations, including emergency exhumations, must be recorded in the cemetery register.
- (j) Following an exhumation, and where no exclusive burial rights remain in force, control of the grave shall revert to the City and the grave may be reallocated in accordance with applicable City policy and procedures.
- (k) No video footage or photographs may be taken during an exhumation unless authorised for official, forensic, or investigative purposes.
- (l) No persons under the age of 18 may be present at an exhumation. The Environmental Health Practitioner may, at their discretion, limit the number of persons attending.

9.1.8 Reduction Burial

- (a) To promote the efficient use of space and support sustainable land management, the City may, after a minimum of 10 years, pursue or allow reduction burials, only with written consent from burial rights holders and next of kin.
- (b) The Reduction burial must be applied for by the burial rights holder and permitted by the authorised official.
- (c) The City will update burial registers to reflect reduction and maintain accurate records.

9.1.9 Reuse of Public Graves

- (a) The City may, in accordance with applicable legislation, City by-laws, and operational requirements, reuse public graves allocated under burial assistance or public burial programmes, where such graves are not privately owned and no exclusive burial rights have been granted.
- (b) Reuse of public graves may include the lifting, deepening, and reuse of graves, provided that such processes are undertaken in a lawful and dignified manner and in accordance with applicable health, safety, and environmental requirements.

- (c) The City must ensure that accurate burial records are maintained to preserve traceability and proper grave location information when public graves are reused.
- (d) The reuse of public graves shall be undertaken in accordance with minimum timeframes, operational standards, and procedures determined by the City and applicable legislation.
- (e) Where the maximum capacity for the reuse of a public grave has been reached, the City may undertake grave reduction and other approved methods of recycling burial space in accordance with applicable legislation and the City's operational standards.
- (f) Public graves remain under the control of the City, and no exclusive rights to such graves shall be deemed to arise unless expressly granted by the City.

9.1.10 Cemetery management and Officers in Charge

- (a) Appointment of Officer in Charge at City-owned cemeteries: The City shall appoint an Officer in Charge for each cemetery, responsible for day-to-day administration, enforcing policy, and accommodating cultural or religious customs within the policy framework.
- (b) The City and all registered funeral undertakers must ensure that employees who handle human remains are protected in line with the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and the Regulations for Hazardous Biological Agents, including the provision and use of appropriate personal protective equipment and infection control measures.

9.2 Crematoria

The City manages and oversees cremation services by providing crematoria infrastructure to support environmentally responsible burial alternatives, ensure compliance with air quality and health legislation, and provide respectful facilities that accommodate diverse cultural and religious practices.

Role: Regulator

- 9.2.1** Residents must apply for cremation and comply with the necessary requirements determined by the City, as outlined below and in the City's Burial, Crematoria and Cemetery Management By-law.
- (c) The City may appoint a service provider to manage City-owned crematoria and cremation facilities, following the appropriate procedures and processes.
 - (d) The City will allow family attendance at cremations upon request and will try to accommodate interfaith rituals within facility guidelines and Air Emission Licence rules.

- (e) When cremated, remains must be placed in a coffin made of natural wood and non-toxic material. Additionally, other hazardous items and materials, such as pacemakers are prohibited.
- (f) To minimise the environmental impact and in order to protect air quality, the City will maintain equipment to prevent ash or particulate release and conduct regular environmental audits, AEL Requirement and Annual Stack Tests.
- (g) Where remains are known or suspected to be radioactive, cremation and burial shall take place only in accordance with the specific provisions of the Regulations relating to the Management of Human Remains and any directives issued by the relevant health authority.

9.2.2 Application and authorisation for cremation

- (a) Funeral Undertakers must apply for cremation and comply with the necessary requirements determined by the City and its service providers, as outlined below and in terms of the City's Burial, Crematoria and Cemetery Management By-law.
- (b) Cremation services and cremated remains handling must balance efficiency with environmental standards, family wishes and religious considerations where possible.

9.2.3 Coffins and materials permitted for cremation

- (a) All coffins, caskets, containers, and materials presented for cremation must be fully combustible and suitable for cremation processes.
- (b) The use of non-combustible or hazardous materials in any coffin, casket, container, or body preparation is prohibited.

9.3 Private cemeteries and private crematoria

While private cemeteries and crematoria operate independently of the City, the City may exercise oversight and administrative functions within its municipal mandate, including matters relating to zoning, environmental health, public safety, and municipal compliance requirements.

Role: Regulator

9.3.1 All private cemetery and crematorium operators must:

- (a) Ensure that the establishment and operation of the facility complies with applicable land use approvals, zoning requirements, and any conditions imposed in terms of relevant legislation or City processes;
- (b) maintain the cemetery or crematorium grounds, infrastructure, access roads, boundary fencing, and related facilities in a safe, orderly, and dignified condition;

- (c) maintain accurate operational, burial, cremation, and interment records in accordance with applicable legislation;
- (d) comply with all applicable public health, environmental health, fire safety, and City service requirements;
- (e) permit inspections by authorised City officials where such inspections are undertaken in accordance with applicable legislation or City by-laws; and
- (f) appoint or designate a suitably competent person responsible for the day-to-day management and compliance of the facility.

9.4 Funeral undertakers and funeral parlours

The City manages access to City cemeteries and facilities used by funeral undertakers in accordance with applicable City by-laws and legislation. This includes maintaining a register of funeral undertakers, enforcing compliance with City requirements, and ensuring the lawful, safe, and dignified burial of human remains within City-managed cemeteries.

Role: Regulator

All funeral undertakers operating within the City must comply with the following directives:

9.4.1 Registration on the City's database

- (a) All funeral undertakers who conduct burials or cremations within cemeteries or facilities managed by the City must be registered on the official database maintained by the City's Recreation and Parks Department.
- (b) Registration must be maintained in good standing and may be subject to periodic renewal and submission of updated compliance documentation as determined by the City.
- (c) As part of the registration process, funeral undertakers must sign a Memorandum of Understanding (MoU) setting out their obligations in terms of this policy, the City's Burial, Crematoria and Cemetery Management By-law, documentation requirements, inspection processes, and applicable sanctions for non-compliance.
- (d) The City may refuse, suspend, or revoke registration where false, misleading, or incomplete information has been provided.

9.4.2 Compliance with City by-laws and health legislation

- (a) Funeral parlours and mortuaries operating within the City's jurisdiction must comply with the minimum norms and standards prescribed in terms of the National Health Act, 2003 and related regulations.
- (b) Evidence of such compliance will form part of the City's registration and inspection processes.

- (c) Funeral undertakers must submit all required burial or cremation documentation to the City or the City's service provider, prior to interment or cremation within a City facility, including Burial Orders, cremation authorisations, and any other documentation required in terms of legislation or this policy.

9.4.3 **Enforcement actions and sanctions**

- (a) Non-compliance with this policy will result in enforcement action being taken in terms of the City's Burial, Crematoria and Cemetery Management By-law.
- (b) In addition to enforcement action taken in terms of paragraph a) the City may in relation to registered funeral undertakers after due notice have been given as well as an opportunity to comment—
 - i. cancel registration on the City's database;
 - ii. suspend them from conducting further burials or cremations within cemeteries and crematoria under the City's management;
 - iii. refuse to accept future burial or cremation bookings;
 - iv. remove them from the City's official funeral undertaker register; or
 - v. refer them to relevant regulatory or law enforcement authorities where appropriate.
- (c) Funeral undertakers must cooperate with City inspections, audits, and compliance monitoring processes relating to burials and cremations conducted within City-managed facilities.

9.5 **City-owned cemeteries and crematoria**

The City provides and maintains cemeteries and crematoria to ensure accessible, well-managed burial and cremation services that meet community needs, accommodate diverse practices, and preserve public spaces and heritage assets.

Role: Provider

9.5.1 **Cemetery sections and typologies**

- (a) The City will endeavour to establish and manage distinct sections within each cemetery to accommodate different burial types and memorial styles. Each section shall adhere to specific design and maintenance guidelines:
 - i. **Berm section:** Berm sections provide for headstone-only memorials, with graves maintained using ground cover or turf in accordance with the City's cemetery design standards.
 - ii. **Landscape section:** It provides for flat plaques or other ground-level markers, with landscaped or planted surfaces.

- iii. **Garden of remembrance:** It is a designated cemetery section for memorials, the interment of cremated remains, niche walls or the scattering of cremated remains.
 - iv. **Memorial square:** Reserved for heroes and celebrated persons, subject to City's written confirmation of status.
 - v. **Crematorium and corpse reduction facilities:** Zones for in-ground graves adjacent to crematoria or alternative reduction methods.
 - vi. **Mausolea section:** Above-ground chambers stacked vertically, following City specifications.
 - vii. **Surface grave units:** Prefabricated or on-site constructed above-ground burial chambers layered over normal ground.
 - viii. **Denominational sections:** Faith-specific plots arranged by orientation, depth, and density, without compromising general burial rights.
 - ix. **Monumental section:** A cemetery section with full memorials, such as headstones and kerbs.
- (b) The City may level and turf older plots within cemeteries, there will be areas or niche walls for the placements of cremated remains in urns or burial graves or scattering in gardens of remembrance per applicant instructions. If no instructions are provided, the City will inter cremated remains in a communal garden after notifying next of kin.

9.5.2 Ossuary establishment and management

- (a) The City will designate ossuary facilities for communal storage of skeletal remains, with clear protocols for transfer of remains, signage, and commemorative features.

9.5.3 Reopening City-owned cemeteries and sections

To maximise efficient land use and honour community heritage, the City shall manage disused cemetery sites through reopening, adaptive reuse or closure of cemeteries or sections of cemeteries as follows:

- (a) The City will conduct an audit of all cemetery grounds unused for a minimum of 20 years to determine suitability for adaptive reuse or closure.
- (b) Ensure safe exhumation and respectful relocation of remains and memorials, in consultation with next of kin or community representatives.
- (c) When reopening or repurposing cemeteries, the City will honour all existing burial rights by offering reinterment options or transfer of rights to alternative cemetery sections and provide support and guidance to affected families through a dedicated City liaison officer.

9.5.4 Closure and adaptive reuse of disused cemeteries

- (a) Where cemeteries or cemetery sections are to be closed or adaptively reused, the City will provide public notice of intent at least 60 days in advance.
- (b) Adaptive reuse may be considered where a cemetery or cemetery section has been closed or is no longer required for active burial purposes, and where such reuse is compatible with applicable legislation, heritage requirements and the objectives of this policy. Adaptive reuse may entail repurposing closed sites for compatible public uses (e.g., parks, community gardens, heritage trails) that preserve memorial elements and green infrastructure value or retaining portions of the grounds for commemorative or interpretive signage to maintain cultural memory.

9.5.5 Protection of heritage, memorials and cultural memory

- (a) Cemeteries, memorial sites, and historically significant burial grounds owned or managed by the City shall be protected and managed in accordance with applicable heritage legislation and the City's Memorials Policy.
- (b) Any maintenance, restoration, alteration, adaptive reuse, or development affecting heritage cemeteries or memorial assets must comply with applicable heritage approval processes and the requirements of the City's Memorials Policy.

9.6 Cemeteries as quality public places

The City promotes the development of cemeteries as safe, accessible and meaningful public spaces that incorporate environmental sustainability, heritage value, and community use.

Role: Enabler

To guide the responsible expansion of burial infrastructure, the City sets out the following requirements and criteria for the planning, approval and development of new cemeteries:

9.6.1 Development of new cemeteries

- (a) The City may consider the development of new cemeteries where demonstrated demand exists, based on population trends, burial capacity, and long-term service planning requirements;
- (b) The establishment of new cemeteries must align with applicable spatial planning, environmental, and land use legislation and policies;
- (c) The development of new cemeteries must be supported by feasibility assessments and confirmation of operational and financial sustainability; and
- (d) New cemetery development must be integrated into long-term infrastructure planning frameworks and capital budgeting processes.

9.6.2 Site Identification and Land Considerations

- (a) Suitable sites must be identified based on technical, environmental, social, and spatial planning criteria;
- (b) Cemetery sites must avoid high-risk areas, including floodplains, wetlands, groundwater-sensitive zones, and land of high agricultural or ecological value, unless appropriate mitigation measures are approved in terms of applicable legislation;
- (c) Compliance with relevant legal and regulatory requirements, including the Municipal Systems Act, 2000, SPLUMA, and NEMA; and
- (d) All proposed cemetery sites must—
 - i. Undergo environmental, geotechnical, hydrological, and infrastructural feasibility assessments;
 - ii. Undergo structured public participation process in accordance with applicable legislation; and
 - iii. Be in alignment with the Municipal Spatial Development Framework and relevant district or local development frameworks.

9.6.3 Design and Development Principles

9.6.3.1 New cemeteries must be designed to—

- (a) Support a range of burial typologies, including traditional, alternative, and space-efficient options;
- (b) Accommodate diverse religious, cultural, and social practices;
- (c) Ensure accessibility via appropriate road networks and, where possible, public transport;
- (d) Integrate with the City's broader green infrastructure and public open space networks; and
- (e) Comply with universal access, safety, and environmental sustainability standards.

9.6.3.2. The City will ensure that financial and operational planning includes phased development, adequate staffing, security, and long-term maintenance provisions.

9.6.4 Alternative or Green Burials¹

The City encourages the uptake of green and alternative burial practices where feasible and lawful.

These may include, but are not limited to:

- (a) Green burials using biodegradable materials and without embalming or concrete vaults;
- (b) Vertical burials, reduction burials, and other space-efficient approaches;
- (c) Cremation, interment of cremated remains, niche walls, and scattering gardens; and
- (d) Innovative methods such as alkaline hydrolysis, subject to future legislative and environmental approvals.

9.7 Procedures during a pandemic or public health emergency

During a declared public health emergency, the City adapts burial and cremation procedures to safeguard public health while ensuring dignified handling of human remains, in line with national and provincial directives. The City encourages the development and implementation of emergency burial protocols that can be activated during pandemics or declared public health emergencies.

Role: Enabler

These protocols must cover:

9.7.1 Emergency burial and cremation protocols

- (a) Be guided by national and provincial health regulations, including directives from the Department of Health, the National Institute for Communicable Diseases (NICD), and World Health Organization (WHO);
- (b) Remain adaptable to the nature and severity of the public health threat; and

¹ While these options are promoted as part of a more sustainable burial system, their implementation is conditional upon:

- Compliance with applicable national and provincial regulations, particularly under the National Health Act;
- Approval by relevant City departments including Recreation and Parks, Health, and Environmental Management;
- The availability of appropriate infrastructure and administrative systems;
- Alignment with broader spatial planning and cemetery development strategies.

- (c) Be coordinated in partnership with the City's Health Directorate, Recreation and Parks Department, and Disaster Risk Management Centre.

9.7.2 **Emergency Procedures**

In the event of a declared pandemic, the City may adopt or update the following procedures, in alignment with national regulations:

- (a) Limit attendance at funerals, interments, and cremations as per public health directives;
- (b) Restrict the handling of human remains, including mandatory use of body bags, disinfection protocols, and regulated viewing;
- (c) Prioritise cremation or immediate burial to minimise storage backlogs and infection risk, where permitted by cultural and religious practices;
- (d) Assign dedicated sections of cemeteries for pandemic-related deaths, if required;
- (e) Enforce shortened or modified funeral services, limiting close contact and ceremonial gatherings; and
- (f) Ensure continuous PPE supply and safety training for cemetery staff and undertakers.

9.8 **Pilot projects**

To enable evidence-based innovation in burial and cemetery management, the City supports the design and implementation of pilot projects that test alternative service models, burial practices, and cemetery configurations. These pilots aim to inform policy development, improve service delivery, and respond to evolving community, environmental, and spatial needs, within a controlled, monitored environment.

Role: Enabler

Pilot projects provide a mechanism for:

9.8.1 **Purpose and scope of pilot projects**

- (a) Generate evidence on the performance, costs, community acceptance, and environmental implications of innovative burial practices or service delivery models to guide future policy decisions.
- (b) Assess approaches that improve land-use efficiency, enhance service accessibility, or optimise cemetery operations in response to changing demographic and spatial needs.
- (c) All pilot projects must align with the City's legal obligations, policy principles (e.g., dignity, inclusion, environmental sustainability), and broader service planning frameworks.

9.8.2 **Types of innovations to be piloted**

- (a) Testing new burial options such as green burials, vertical interments, or digital grave location systems;

- (b) Trialling new cemetery layouts or section types, including memorial gardens, communal ossuaries, or multi-use public space integration; and
- (c) Improving operational processes, such as digitised applications, scheduling systems, or cemetery mapping tools.

9.8.3 Community and stakeholder engagement

- (a) Engage communities and stakeholders to assess the cultural acceptance, feasibility and potential uptake of non-traditional burial and memorial practices.
- (b) Ensure early notification to affected communities and stakeholders, providing clear information on the purpose, scope, location and anticipated impacts of the pilot project.
- (c) Facilitate participation processes that are inclusive of diverse cultural, religious, and community groups, ensuring that marginalised or historically underrepresented communities are able to participate meaningfully.

10 Policy Directives to Guide City-Assisted Burials and Cremations

The City has a constitutional and ethical obligation to ensure that all individuals regardless of financial status, are afforded a dignified and respectful burial or cremation. The following directives ensure that the City can fulfil its public health responsibilities while protecting human dignity and responding promptly to the needs of vulnerable communities during times of bereavement.

All services provided under this section must comply with the National Health Act, 2003 the Regulations relating to the Management of Human Remains, regulations governing the disposal of unclaimed human remains, and the City's Burial, Crematoria and Cemetery Management By-law.

10.1 Eligibility criteria

The City may provide burial or cremation services for persons qualifying for burial assistance who meet all of the following criteria:

- 10.1.1. The deceased had no income above the state pension threshold and no insurance, estate or other financial means sufficient to cover funeral or cremation costs;
- 10.1.2. There is no next of kin or other person with a legal obligation or demonstrable capacity to pay for the funeral;
- 10.1.3. No NGO, religious institution, welfare organisation or other third party has offered to fund the funeral; and
- 10.1.4. The deceased was ordinarily resident within the municipal boundaries of the City.

10.2 City service obligations

- 10.2.1. Where eligibility is confirmed, the City will provide:

- 10.2.1.1. Transport of the remains to and from the mortuary, the place of worship or home service (where applicable), and the final burial or cremation site within the City;
- 10.2.1.2. A biodegradable, non-hazardous coffin, or an appropriate alternative container where cremation is selected;
- 10.2.1.3. A public grave or cremation, according to the applicant's documented choice; and
- 10.2.1.4. All components of the standard city-assisted burial or cremation package approved by the City.

10.3 Application and approval process

- 10.3.1. Applicants must submit a written application, affidavit of circumstances and all supporting documentation specified in the prescribed City application form.
- 10.3.2. Subcouncil managers, City Parks staff and councillors may assist applicants in preparing documentation and verifying circumstances.
- 10.3.3. When human remains are collected from a private funeral undertaker, the City requires the original Burial Order.
- 10.3.4. The Cemeteries Coordinator shall review applications and make a recommendation to the authorised official for final approval.
- 10.3.5. Verification of eligibility may include checks against City billing systems, social grant information or other records, in accordance with the City's indigent support framework.

10.4 Service conditions and standards

- 10.4.1. The burial or cremation of persons qualifying for burial assistance or unclaimed human remains must comply with the National Health Act, 2003 and the Regulations Relating to the Disposal of Unclaimed Bodies, including any requirements for notification, retention periods, and authorisations.
- 10.4.2. At least two working days' notice is required from the date of approval before a burial or cremation can take place.
- 10.4.3. Burials and cremations under this clause shall take place on weekdays only, excluding public holidays, unless otherwise approved by the authorised official.
- 10.4.4. No memorial work is permitted on graves provided under the City-assisted burial programme, as these graves remain public graves managed and controlled by the City. No exclusive burial rights are granted in respect of these graves, and they remain subject to the City's management and reuse provisions applicable to public graves outlined in clause 9.1.9.
- 10.4.5. The full City-assisted burial or cremation package prescribed by the City must be used. Applicants may not substitute or upgrade any item or service component.
- 10.4.6. City-assisted burials may be allocated to any cemetery or cemetery section as determined by authorised officials, subject to available capacity.
- 10.4.7. The City shall maintain a dedicated register of all City assisted burials and cremations.

- 10.4.8. Where the remains of a person qualifying for burial assistance remain unclaimed by next of kin for more than 30 days, the City shall proceed with burial or cremation in accordance with clauses in 10.2.1

10.5 Access to information and protection of personal data

- 10.5.1. The City will provide access to information relating to City-assisted burials or cremations to verified family members of the deceased, subject to the PAIA and the POPIA.
- 10.5.2. Access may be refused where disclosure would infringe the privacy of third parties, pose a security or public health risk, or prejudice an investigation.

10.6 Cost recovery, fraud and misrepresentation

- 10.6.1. Where the City has funded a City-assisted burial or cremation and it is later established that the deceased had insurance, an estate, or other financial means, the City may recover the full cost from the estate, insurer, or beneficiary, in accordance with the MFMA and the City's Credit Control and Debt Collection Policy and Credit Control and Debt Collection By-law, 2006.
- 10.6.2. Any fraudulent misrepresentation relating to financial status, insurance or estate value may result in withdrawal of the service, recovery of costs and referral for criminal investigation.

11 Monitoring, Evaluation and Review

The City will monitor the implementation of this policy through ongoing collection and analysis of operational, financial, regulatory and service-quality data. This policy will be reviewed at least every **five years**, or sooner if required due to, changes in national or provincial legislation, new public health directives, significant operational or financial shifts or environmental or spatial planning requirements.

Not every review will result in a revision of the policy. A review may confirm that the policy remains relevant and effective. Where revisions are required, the updated policy will follow the City's formal policy approval processes, including stakeholder consultation where appropriate.