

Statutory Instrument No. 1 of 1974

TOWNSHIPS PROCLAMATION
(Cap. 120)

SELEBI-PIKWE TOWNSHIP REGULATIONS, 1970
(S.I. 81 of 1970)

SELEBI-PIKWE (CEMETERY) BYE-LAWS, 1974

(Published on the 11th January, 1974)

ARRANGEMENT OF BYE-LAWS

BYE-LAWS

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FIRST SCHEDULE

SECOND SCHEDULE

IN EXERCISE of the powers conferred by regulation 16 of the Selebi-Pikwe Township Regulations, 1970, the Selebi-Pikwe Township Authority hereby makes the following Bye-laws —

1. These Bye-laws may be cited as the Selebi-Pikwe (Cemetery) Bye-laws, 1974. Citation

2. In these Bye-laws, unless the context otherwise requires — Inter-pretation
"adult" means a person other than a child;
"caretaker" means any person so designated by the Township Authority;
"cemetery" means a cemetery established under the provision of bye-law 3;
"child" means a person under the age of ten years;
"memorial work" means any gravestone, monument, cenotaph, tablet or monumental inscription and any work ancillary thereto.

3. The areas of land defined in the First Schedule are established as cemeteries for the purposes of these Bye-laws. Establishment of cemeteries

No burial outside cemetery
Burial to require permission of Executive Officer

4. No person shall bury or cause to be buried any body elsewhere within the Township than in a cemetery.

5. (1) No burial shall take place in a cemetery except under and in accordance with a permit issued by the Executive Officer and on payment of the fees prescribed in bye-law 6.

(2) The permit shall be in the form set out in the Second Schedule.

(3) A person making application for a permit shall state ---

(a) the name, age and sex of the deceased;

(b) the religious denomination, if any, of the deceased; and

(c) the place of death,

and his application shall be accompanied by a certificate of death signed by a medical practitioner or a duly certified copy thereof or, in the absence of such certificate, by the written permission of a magistrate or District Officer authorizing the burial.

(4) The Executive Officer may refuse the issue of a permit where the deceased died outside the Township and was not prior to his death a resident of the Township.

Burial fees

6. There shall be charged for the issue of a permit in accordance with the provision of bye-law 5 a burial fee of R5,00:

Provided that ---

(i) the Executive Officer may waive the payment of such fees in whole or in part where he is satisfied that the person responsible for the burial is unable to pay the full amount and may, additionally or alternatively, make arrangements for the payment of the fee in instalments, and in terms and conditions of payment imposed by the Executive Officer the outstanding balance owing shall forthwith be a debt due to the Township Authority and shall be recoverable in a court of competent jurisdiction; and

(ii) the Executive Officer may waive the payment of such fees in whole or in part when the person responsible for the burial wishes to dig the grave for himself and agrees to do so only after receiving authorization from the Executive Officer and undertakes to abide by the specified conditions of siting and digging the grave as appears in bye-law 7 and as may be fixed from time to time by the Township Authority.

Dimension of graves

7. Unless the Executive Officer otherwise directs, graves shall be of the following dimension ---

Length	2,128 metres
Width	0,912 metres
Depth	1,824 metres.

No body to be buried other than in a coffin

8. Unless the Executive Officer otherwise directs, no burial shall take place unless the body of the deceased is enclosed in a coffin of solid and sound construction.

- 9.** The caretaker responsible for the cemetery shall ensure that forthwith upon the placing of the coffin or body in a grave it is covered with earth until the grave is filled. Covering of coffin or body
- 10.** (1) All graves in a cemetery shall be allocated a number and all burials shall be registered in a register which shall be kept by the Executive Officer. Graves to be numbered and burials registered
- (2) The register may be inspected by members of the public during office hours.
- 11.** (1) No person shall erect on any grave any memorial work without permission in writing from the Executive Officer and in accordance with such permission. Memorial work
- (2) Any person making application to the Executive Officer for permission to erect any memorial work shall, if required to do so, furnish the Executive Officer with plans or diagrams thereof in such degree of detail as he may specify and shall supply such details as the Executive Officer may require as to the manner in which the work is to be executed.
- (3) The Executive Officer may refuse to grant permission for the erection of any memorial work if he is of the opinion that the memorial work would be unsightly or offensive or if it is not of permanent and durable nature:
- Provided that any person aggrieved by any decision of the Executive Officer may appeal to the Township Authority.
- (4) The Township Authority may take down and remove any memorial work which shall have been placed or erected within a cemetery without their authority or which is not maintained in an adequate state of repair and any cost incurred by the Township Authority in so doing may be recovered from the person who erected the work.
- 12.** Subject to the provisions of the Inquests Proclamation, no person shall exhume or cause any body to be exhumed within a cemetery or reopen any grave except with the consent of the Township Authority. Exhumations and reopenings Cap. 34
- 13.** Unless the Executive Officer otherwise directs, not more than one body of an adult or two bodies of children may be buried in one grave: Restricted number of burials in one grave
- Provided that the body of a still-born baby may be buried with the body of its mother.
- 14.** A cemetery shall be open to the public between sunrise and sunset provided that — Honours of opening of cemetery
- (a) the Executive Officer or caretaker may from time to time authorize an earlier opening or a later closing;
- (b) nothing in this bye-law shall authorize members of the public to enter any building or enclosed space within a cemetery; and
- (c) children, unless accompanied by a responsible adult, may be excluded from a cemetery.
- 15.** The Township Authority may close any cemetery, but any cemetery so closed shall continue to be a cemetery save that no burial may take place therein except on the authority of the Township Authority. Closing of cemetery

Exercise of control by caretaker

16. (1) Every person within a cemetery shall be subject to the direction and control of the caretaker who may, in addition, give reasonable direction as he thinks fit for the arrangement of funerals.

(2) No person shall resist or obstruct the caretaker in the execution of his duties or disobey any directions given under the provisions of this bye-law.

Offences within a cemetery

17. No person shall —

(a) without the consent of the Executive Officer or the caretaker, be in any cemetery other than during the hours when the cemetery is open under the provisions of bye-law 14;

(b) destroy or injure any building, wall or fence in the cemetery or destroy or injure any tree or plant thereof;

(c) put up any bill in any cemetery or any wall thereof;

(d) within a cemetery, destroy, injure or deface any memorial work;

(e) within a cemetery, play any game or sport;

(f) within a cemetery discharge any firearm except at a military funeral;

(g) disturb or annoy any person attending any funeral within a cemetery;

(h) within a cemetery, shout or scream or behave in an indecent or immodest manner;

(i) enter a cemetery which is enclosed by a fence or wall other than through a gate or door; or

(j) allow any dog or livestock within a cemetery.

Penalty

18. Any person contravening the provisions of these Bye-laws shall be guilty of an offence and liable to a fine of R15 or, in default of payment, to imprisonment for two months.

FIRST SCHEDULE
(Bye-Law 3)

List of Cemeteries

1. Fenced area north of the Town centre used as a cemetery.

SECOND SCHEDULE
(Bye-Law 5 (2))

Number
Nomore

SELEBI-PIKWE TOWNSHIP AUTHORITY
BURIAL PERMIT
SESUPO SA PHITLHO

Applicant's Name (Full name)
Leina la Mokopi (BLOCK LETTERS)
(DITLHAKA TSE DITONA)

Applicant's Address
Aterese ya Mokopi

Name of Deceased
Leina la Moswi
Address of Deceased
Aterese ya Moswi
Date of Death
Letsatsi la loso
Place of Death
Felo ga loso

Death Certificate (issued where and by whom and when)
Sesupo sa Loso

Age Sex
Dingwaga Mong

*Religious Denomination
Wa Kereke efe

I certify that the information given above is true in every respect.
Mafoko otlhe a ke a buileng ke boammaruri.

.....
Signature of applicant
Boitlamo jwa mokopi

.....
Executive Officer

*This question need not be answered
Potso e ga e patelesege go arabiwa

FOR OFFICIAL USE ONLY
GA TIRISO YA BABEREKI FELA

Fee Official Receipt No.
Tuelo Nomore ya sesupo sa tuelo

Grave Number
Nomore ya Lebitla

APPROVED

.....
Executive Officer
Date
Letsatsi

MADE this 15th day of November, 1973.

LEONARD GRAVES,
Executive Officer,
Selebi-Pikwe Township Authority.

APPROVED this 21st day of November, 1973.

B.G. MAKOBLE,
Permanent Secretary,
Ministry of Local Government and Lands.

L2/8/8