

Council Resolution CR98-30/05/23

INDIGENT AND PAUPER BURIAL POLICY



GREATER GIYANI MUNICIPALITY

INDIGENT/PAUPER BURIAL SUPPORT POLICY

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1. DEFINITIONS

For this policy, any word or expression to which a meaning has been assigned in the Act, shall bear the same meaning in this policy, and unless the context indicates otherwise –

“**Authorised Officer**” means any official of the Council who has been authorised by the Council to administer, implement and enforce the provisions of this Policy;

“**Body**” means the remains or any portion thereof any deceased.

“**by-law**” means a by-law adopted by the Council;

“**Cadaver**” means a dead human body.

“**Cemetery**” means any land / part thereof with the Municipality duly set aside

by the Council as a cemetery.

“**Chief financial officer**” means a person designated in terms of section

80(2) (a)-----.

“**Crematorium**” means the crematorium as defined in section 1 of the Ordinance and includes any place set aside by the council for the cremation

of a body.

“**Headstone**” means an upright stone at the head of a grave.

“**Indigent deceased person**” means a destitute person who has died in

indigent circumstances, or if no relative or other person, welfare organization

or NGO can be found to bear the burial or cremation costs of such deceased

person.

“**Indigent person**” means a person referred to in paragraph 6;

“**Non-resident**” means the person who at the time of death was not a

resident of Greater Giyani Local Municipality.

“**Municipality**” means the Greater Giyani Municipality;

“**Municipal manager**” means a person appointed in terms of section 82(1)(a)

or (b) of the Municipal Structures Act.

“**Pauper**” means an unknown poor person, where a relative or family cannot

be found to bear the costs.

“**Pauper Burial**” means a burial of a poor person.

“Registrar of deaths” means a person appointed as registrar of deaths in terms of the Birth and Death Registration Act, 1992 (Act No. 51 of 1992).
“Regulation” means a regulation published in terms of the ordinance.

2. Introduction

The pauper and indigent burial support policy will be a guide to council officials, community, government institution and undertakers on handling of the pauper and indigent applications and burials.

Disposal of Dead

- No person shall, save with the prior written consent of the council, dispose of or attempt to dispose of a cadaver, other than interment in a cemetery.
- If that person is an unknown person, the Municipality will then work with the report from SAPS after their necessary procedures to declare someone unknown.
- If that person was an indigent person, the council will decide on the time and place of burial through its officer in charge after approval of the application.

3. OBJECTIVE OF POLICY

The objective of the Indigent Support Policy is to ensure -

- (i) To provide guidelines and procedures to ensure that poor household can bury their loved ones in a dignified manner;
- (ii) The provision of services to the community in a sustainable manner, within the financial and administrative capacity of the Council;
- (iii) The make provision for the bodies of the destitute to be buried;
- (iv) To manage the budget more effectively in terms of pauper and indigent burials;

5.1.3 In the event that there are other persons including family members living in the same house or dwelling who are income earners but not dependant on the applicant apart from tenants, their income shall be included in the calculation of household income.

5.1.2 A household is defined as the applicant plus six dependants living together under the same house or dwelling.

5.1.1 A household income of or not more than R1, 270, irrespective of the source of income.

The Greater Giyani Indigent policy states that whilst the municipality recognizes that there are various methods that can be utilized to define an indigent, the following method is most appropriate to the Municipality and will be applied in determining whether an applicant qualifies as an indigent and is therefore entitled to indigent support:

The indigent support will be applicable for the following category of people:

5. INDIGENT SUPPORT APPLICABILITY

The officer in charge should be responsible for receiving the applications and ensure that all relevant documentations are submitted before forwarding the application to the Accounting Officer for approval.

4.4 Responsibility of the Officer Charge

To make budget provision for pauper and indigent burial support.

4.3 Responsibility of the CFO

(b) To implement council's Indigent Support Policy.

and

(a) To implement good customer care management systems;

4.2 Responsibilities of the Municipal Manager

policy.

(b) To consider and approve by-laws to give effect to the Council's

(a) To approve a budget consistent with the needs of community

4.1 Responsibilities of Council

4. RESPONSIBILITY/ACCOUNTABILITY FOR INDIGENT SUPPORT

An application for the indigent burial support will only be considered and approved on submission of the following to meet the requirement:
(a) The deceased is the bona fide resident;
(b) Request in the form of an application letter from the family;

7. APPLICATION FOR INDIGENT BURIAL SUPPORT

- (a) The onus of proof at being indigent rests with the applicant declaring indigence and confirmed by the representatives or next of kin, Traditional Authority, Ward Councillor and presented to the council official in charge.
- (b) The official in charge will conduct an assessment upon receiving the application.
- (c) The municipality will be responsible for payment of the standard coffin and a headstone and is subjected to the availability of funds.
- (d) The municipality shall not be responsible for any additional costs that may occur as a result of the burial process.
- (e) No financial contribution for food, transport, memorial or exhumations.
- (f) No payment will be made to the family; all payment will be made to the funeral undertaker and in accordance with the regulations of the policy.
- (g) No deceased from outside the jurisdiction of the municipality will be assisted.
- (h) The deceased and the family must have been unemployed, not receiving any grant or pensions to cover for the burial expenses.

The principle on which indigent burial are to be performed is aimed at community upliftment and public partnership which will be applied as follows:

6. INDIGENT BURIAL SUPPORT
6.1 INDIGENT BURIAL PRINCIPLES

- 8.1 A pauper as defined as a person who has died as an unknown person within the geographic boundaries of Council subject to Section 48 (2) of the Health Act No. 61 of 2003 as amended – Shall be buried at the discretion of Council.
- 8.2 A pauper who is buried in terms of the approved council policy will be entered in a grave with a headstone.
- 8.3 An indigent person is defined as a person who died in the indigent circumstances within the geographic boundaries of council where no relative, other person, NGO or welfare organization can be found to cover the cost of such deceased person; the Municipality may bury such a person.
- 8.4 The onus of proof of being indigent rest with the Municipal Council laid out criteria. The Accounting Officer must be responsible for authorizing the pauper burial in consultation with the Mayor or relevant portfolio committee.

8. PAUPER BURIAL

- (c) Sworn Affidavit from the family indicating their financial status and that the deceased was not covered in any burial society;
- (d) Sworn Affidavit from the Ward council confirming the financial capacity of the deceased family;
- (e) Sworn affidavit from the next of kin/family, neighbor or a friend (No Councilor is allowed to do sworn statement on behalf of the deceased).
- (f) Supporting letter from the Traditional Authority;
- (g) ID and Death certificates copies and
- (h) Three quotations from the funeral undertaker that are in possession of the certificate of competence, unless instructed by the officer in charge to make use of an undertaker appointed by council.

Application for a pauper/indigent burial within the community GGM Local Municipality will only be considered and approved should:

12. PROCEDURES AND APPLICATION FROM THE COMMUNITY AND OTHER INSTITUTION

Subject to the provision of the Imports Act, 1959 and the said Birth, Marriages and Death Act no. 51 of 1992, a person who has died in a hospital or other institution, shall be the responsibility of that hospital or institution care, in the case who has been admitted to or kept in such a hospital or institution on or on behalf of the local authority or in case of a person who, not being a convicted person or a person under arrest, has died in any prison.

11. APPLICATION FROM OUTSIDE INSTITUTIONS

- (1) Permission to surrender the deceased to Greater Giyani Local Municipality to deal with it according to the guidelines of this policy.
 - (2) Statement indicating that the procedures were followed by SAPS in trying to find the family.
 - (d) Certified copy of death notification BI 1663
 - (a) The relevant completed and signed application forms.
 - (b) SAPS report with case number and permission to bury (where applicable)
 - (c) Sworn Affidavit indicating the following:
- attachments:

Application for a pauper burial within the community of Greater Giyani Local Municipality will only be considered and approved with the following

10. APPLICATION FOR PAUPER BURIAL SUPPORT

- (a) The unclaimed body will be at a Hospital or Police Mortuary within the jurisdiction of the municipality;
- The following are the guiding principles to be followed in which burials are to be performed:

9. GUIDELINES FOR PAUPER BURIAL SUPPORT

- a) No financial contribution for food.
- b) No memorial, tombstone or exhumation will be erected.
- c) Authorization of indigent burial is the responsibility of the Accounting Officer guided by Municipal Policy and resolutions.
- d) No transport must be provided to the family for the funeral.

14. OTHER RULES ON PAUPER AND INDIGENT BURIALS

- a) An undertaker is in possession of a certificate of competence.
- b) The premise from which the undertaker operates is zoned in accordance with planning of such a business.
- c) The undertaker meets the requirements in accordance with the Act.
- d) The premises are subject to inspection.

According to the Health Act, 2003 (Act 61 of 2003) no undertaker shall contract to bury or cremate any cadaver in any cemetery or crematorium under the control of the council unless:

13. GUIDELINES FOR FUNERAL UNDERTAKER

- a. The relevant application forms are completed and signed. Attached to these documents the following original copies must be attached:
 - i. Pauper Case
 - 1. SAP report with case number and permission to bury.
 - b. Sworn Affidavit must indicate the following:
 - i. Pauper Case
 - 1. Permission to surrender the deceased to the municipality to deal with it according to the guidelines of this policy.
 - 2. Statement indicating that the procedures were followed by SAPS in trying to find the family.
 - c. A letter from SAPS stating that the corpse is unidentified.

Signed by:

Mayor: Cllr. Zitha T
Signature

Date
30/05/2023

The policy will be signed by the Mayor of Greater Giyani Municipality and takes effect as from the date of approval.

The policy is called "Indigent Pauper Burial Policy".

18. SHORT TITLE

The policy will be reviewed once in 3 years.

17. REVIEW

allow necessary procedures to take place.
Whenever there are pauper/indigent burials to be conducted, the applicant must inform the Municipality in writing within ten working days (two weeks) to

16. AUTHORIZATION

availability of funds.
The cost of services should not be more than R8000.00 and subjected to the

15. COST

- e) All paupers to be undertaken within the Municipality shall be supervised by the Environmental Health Practitioner, who will make sure that all the necessary basic requirements are adhered to.
- f) No deceased from outside the jurisdiction will be assisted with transport.