

PAUPER BURIALS DRAFT POLICY

1. BACKGROUND

The Council note the demand of burial of paupers/ destitute deceased people within its area of jurisdiction whereby some local municipalities cater for the same and others do not. The district municipality had to intervene with its limited resources on certain occasions where it was becoming clear that burial of paupers/ destitute people was not going to take place as a result of local municipalities not having the necessary resources to cater for the same. This policy is a standardized policy which will ensure an effective and prompt burial of such corpses, within the area of jurisdiction of Sisonke.

2. DEFINITIONS

2.1 Pauper /Destitute Corpse- Means a deceased person without a next of kin or an unclaimed body or whose next of kin are able to verify inability to afford funeral expenses due to poverty conditions that exist within that family.

2.2 Pauper Burial -This is a process of ensuring that, the burial of a pauper or destitute corpse is executed by the relevant authority or council in a manner termed as human dignified by making sure that all the basic requirements needed to bury a dead person are taken into account.

- 3.** The deceased must have died within the boundaries of one of the five local municipalities within the area of jurisdiction of Sisonke including the DMA being KZNDMA 43.
- 4.** The deceased and or the family must have been unemployed, not receiving any grants or pensions to cover for the burial expenses.
- 5.** If the next of kin is available, he/she must sign a right of claim over the body to the Council responsible to dispose of it as the Council deems fit e.g. burying or cremating it, whichever will be cost effective.
- 6.** The Municipal Manager must be responsible for authorizing the pauper burial in consultation with Mayor or relevant portfolio committee head.

7. The burial will be conducted by the undertaker contracted to the municipality, where there is no undertaker contracted by the municipality, such municipality shall make the necessary arrangements to bury **such body in a dignified manner.**
8. The following supportive documents to substantiate the application must be submitted:
 - 8.1 Financial position statements (affidavits from SAPS).
 - 8.2 Letters from the Department of Social Welfare and Development, relevant Ward Councilor and or the Church leader, confirming the poverty conditions being experienced.
9. There will be no provision for payment other than to the contracted undertaker or service provider to execute the burial of the corpse.
10. No transport must be provided to the family for attending the funeral.
11. No financial contributions must be made towards food, tents e.t.c.
12. Burials must be undertaken during weekdays only.
13. In the event of functions taking place after the funeral, irrespective of the financial source provided by any member of the family or community, the assistance will be considered null and void and the burial costs will be recovered.
14. No memorial, tombstone and or **exhumation** will be erected on the gravesite. Should such an application be received in future, the applicant will be held responsible for the payment of the costs incurred during the funeral.
15. Should an application be received for the purpose indicated in section 14 above due to financial status having improved in the family, the person wanting to conduct the above process in 14 shall first reimburse the municipality whatever amount that was spent during the pauper burial before permission to erect the tombstone can be given.
16. All applications for pauper burials shall be submitted to the relevant local municipality from where the person died.
17. The Municipal Health Services Section shall be responsible for the implementation of this policy at the district municipality's level.

- 18.** Whenever there are pauper burials to be conducted the local municipalities must inform the district municipality in writing within 14 days of the same to allow the district municipality to go through the procurement processes.
- 19.** Both the local municipalities and the district municipality shall not be responsible for any **financial losses** that **may** occur or take place as a result of the pauper burial process.
- 20.** This policy bind all local municipalities and the district municipality within Sisonke to make sure that all pauper burials are coordinated in a proper manner and that where there are problems regarding conducting of pauper burials such problems shall be negotiated and an immaculate solution shall be reached between the parties involved.
- 21.** This policy must start operating in the financial year 2008/2009 to allow all municipalities within the district to make provision of the budget for the pauper burials.
- 22.** All pauper burials to be undertaken within the district shall take place under the supervision of the Environmental Health Practitioner, who will make sure that, all the necessary basic requirements are adhered to.
- 23.** The municipalities shall not be responsible for the removal of the body from home or street wherever it is found dead since that process is the prerogative of the South African Police Services (SAPS).
- 24.** The municipalities shall engage themselves after all the processes necessary to be conducted by other authorities on a dead body have been confirmed to be concluded and that, a letter from that authority confirming the same must be forwarded to the relevant local municipality which will in turn do the same to the district municipality.

ROLES AND RESPONSIBILITES

- 1.** All local municipalities within Sisonke's area of jurisdiction must make provision of budget for pauper burials.
- 2.** The Sisonke District Municipality must make provision of budget for pauper burials.

- 3.** For every pauper burial conducted the district municipality and the relevant local municipality shall contribute 50% each towards the pauper burial.
- 4.** No provision of payment shall be made by the district municipality to the local municipality but services shall be procured to ensure the process of pauper burial is undertaken accordingly.
- 5.** Local municipalities must make land available for the execution of this service.
- 6.** Once the district municipality and its local municipalities have agreed on the implementation of this draft policy and is approved by all councils, a memorandum of agreement binding both parties shall be signed as confirmation of adherence to this policy.