



**DRAFT MSINGA MUNICIPAL BURIAL SUPPORT**  
**POLICY**

**Msinga Local Municipality hereby makes the following policy in terms of section 98(1) of the Local Government: Municipal Systems Act no. 32 of 2000.**

**TO REGULATE CUSTOMER CARE MANAGEMENT, CREDIT CONTROL AND DEBT COLLECTION POLICIES**

**MSINGA LOCAL MUNICIPALITY  
PAUPER BURIAL SUPPORT POLICY**

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## DEFINITIONS

**“Act”** means the Funeral, Burial and Cremation Services Act of 2002;

**“Adult”** means a deceased person over the age of 12 years and any deceased person the dimensions of whose coffin cannot be accommodated in an excavation of 1,40m in length and 400mm in width;

**“Child”** means a deceased person who is not an adult;

**“Child headed household”** means a household where both parents are deceased and where all occupants of the property are children of the deceased and are under the legal age to contract for services;

**“Body”** means any dead human body, including the body of a stillborn child;

**“Burial order”** means an order issued in terms of the birth and Death Registration Act;

**“Burial”** means burial or inhumation into earth or any other form of burial and includes a tomb and any other mode of disposal of a body;

**“Indigent person”** means a destitute person who has died in indigent circumstances, or if no relative or other person, welfare organization or non-governmental organization can be found to bear the burial or cremation costs of such deceased person and includes a pauper;

**“Indigent relief”** means assistance received for the burial or cremation of an indigent person;

**“indigent”** means any household or category of households, including a child headed household, earning a combined gross income, as determined by the municipality annually in terms of a social and economic analysis of its area, which qualifies for rebates/remissions, support or a services subsidy; provided that child support grants are not included when calculating such household income;

**“municipality”** means the Msinga Local Municipality, established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councilor, duly authorized agent or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councilor, agent or employee;

## **INTRODUCTION**

As a developmental institution, the municipality needs to commit to supporting measures that assist and empower its community. It is accepted that large sections of the community cannot exist without intervention and it is therefore the duty of the municipality to support and to ensure that citizens are able to access their constitutional right to have access to a basic level of services.

The municipality therefore adopts an indigent burial support policy which embodies an indigent support programme. The Municipality has established through a survey that a high mortality rate of people dying as a result of AIDS and related sicknesses, especially amongst youth, women and most unfortunately, these mortalities are happening from indigent families.

## **1. POLICY PRINCIPLES**

In recognition of the above mentioned the municipality undertakes to promote the following principles:

- 1.1 To ensure that the Equitable Share received annually will be utilised for the benefit of the poor only and not to subsidise rates and services charges of those who can afford to pay;
- 1.2 To link this policy with the municipality's IDP, local economic development (LED) initiatives and poverty alleviation programmes;
- 1.3 To promote an integrated approach to free basic service delivery; and
- 1.4 To engage the community in the development and implementation of this policy;

## **2. POLICY OBJECTIVES**

In support of the above principles the objective of this policy will be to ensure the following:

2.1 Establish through a survey that a high mortality rate of people dying as a result of AIDS and related sicknesses, especially amongst youth, women and most unfortunately, these mortalities are happening from indigent families. To assist indigent households to bury their families.

## **3. THE LEGISLATIVE FRAMEWORK**

This policy is designed and implemented within the framework of the following legislation:

- The Constitution of the RSA, 1996;
- The Municipal Systems Act, 2000 (Act 32 of 2000);
- The Municipal Finance Management Act, 2003 (Act 56 of 2003);
- The Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- The Promotion of Access to Information Act, 2000 (Act 2 of 2000);

- The Property Rates Act, 2004 (Act 6 of 2004).

#### **4. OBJECTIVES**

The objectives of this Policy is to ensure that all indigent natural persons who dies within the jurisdiction of the Municipality are buried or cremated in terms of the Indigent Burial Policy approved by the Council. Assistance of two coffins per ward per month is given. However, where no claim made in a month a ward can identify any indigent family and give a food voucher.

#### **5. QUALIFICATION CRITERIA**

Qualification criteria for burial support shall be determined by the municipality from time to time, provided that until the municipality determines otherwise, the following criteria shall apply:

- 5.1 The applicant must be a resident of the municipality.
- 5.2 The diseased must have been identified as an indigent.
- 5.3 The qualifying family must have combined or joint gross income of all occupants or dependents in a single household which receives services from the municipality may not exceed the thresholds of R3'200 per month and for elderly and poor may not exceed two states pension, which is determined by the municipality annually during consideration of the budget for the next financial year.
- 5.4 More than one person dying of calamity, natural disaster or through the Act of Providence, who are also citizens of the Municipality.
- 5.5 Assistance will be released up on submission of death certificate of the deceased.
- 5.6 The family member responsible for the claim must produce the valid SA ID document.

#### **6. EXCLUSIONS**

This Policy shall, exclude all Council's Employees, Councillors and Political Office-bearers, who shall be treated in terms of a specific Employment Policy or by the Council Resolution from time to time, unless the Council determines otherwise.

#### **7. PROCEDURE**

- 7.1 Any adult person or a child who dies in terms of the provisions of Section 4 in supra, shall, be reported to the Ward Councillor concerned or the Mayor in the event that the Ward Councillor is not available.
- 7.2 The Ward Councillor shall, investigate to ascertain whether or not the deceased person is survived by any close relatives or next of kin or in-laws, etc. Should the Ward Councillor establish that the deceased has no close relatives or next of kin or in-laws whatsoever, the deceased shall be declared as a body that deserves an indigent burial in terms of this Policy.
- 7.3 The Ward Councillor shall, report the status of the deceased person(s) to the Municipal Manager's office, who shall then approve that the deceased person be buried as follows:-

7.4 Whe

- (a) As pauper, if the deceased is not survived by any close relatives or next of kin or in-laws; and/or
- (b) As indigent, if the gross income is as per 4.3 of qualification criteria.

**The following financial conditions shall apply for the burial of a pauper or indigent person:-**

- (a) In the case of a pauper burial, the cost of the coffin may not exceed R 800.00 (Eight hundred rand);
- (b) The Municipality shall offer an alternative of a food voucher of a same amount R800.00 in a case where the family do not need a coffin. However the standard items should be bought (1x 50 kgmaize meal, 1x 10 kg Sugar, 1 x 10kg Flour, 1 x 10 kg potatoes, 6 x 2kg bag of mixed portions, 1 x 10 kg rice, 1 x 1kg powder milk, 5L cooking oil, 1kg salt, 5 kg sugar beans)

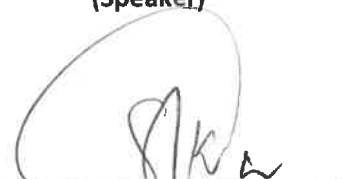




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Mr. TL Kunene  
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Mr. SL Sokhela  
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