



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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No. 8058

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## General Notice

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### OSHAKATI TOWN COUNCIL

No. 157

2023

#### CEMETERY REGULATIONS: LOCAL AUTHORITIES ACT, 1992

The Town Council of Oshakati under section 94(1)(k) of the Local Authorities Act, 1992 (Act No. 23 of 1992), and after consultation with the Minister of Urban and Rural Development, has made the regulations set out in the Schedule.

**L. HANGO**  
**CHAIRPERSON OF THE COUNCIL**  
**BY ORDER OF THE COUNCIL**

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PART 1  
PRELIMINARY

**Definitions**

1. In these regulations, a word or an expression to which a meaning has been assigned in the Act bears that meaning, and unless the context otherwise indicates –

“adult” means a person over the age of 11 years;

“ashes” means the remains of a body after cremation in a crematorium;

“body” means the body of a deceased human being or the body of a still born child;

“cemetery” means a piece of ground established by the Council for the purposes of interment of bodies;

“Chief Executive Officer” means the town clerk of Oshakati;

“child” means a person of 11 years of age and below;

“Council” means the Town Council of Oshakati;

“cremate” means to reduce any human remains to ashes by burning or application of heat;

“crematorium” means any building fitted with appliances for cremation, including everything essential, incidental or ancillary to cremation, and includes any structure approved by the Council as a crematorium;

“environmental health practitioner” means the person in the service of the Council who holds the appointment as an environmental health practitioner;

“grave” means an excavation within a cemetery prepared for the interment of a body;

“grave plates” means a small block of concrete or steel fixed at the foot or head of a grave which displays the number of the grave;

“grave space” means any piece of ground within a cemetery laid out for a grave;

“interment” means the burial, laying to rest, consign to the grave, entomb or earth up of a body, including the burying, committal, entombment, inhumation, a funeral or funeral rites;

“memorial work” means any tombstone, headstone, railing, fence, monument, inscription or other work erected, or which may be erected, on a grave;

“notice of interment” means a notice of interment referred to in regulation 29;

“owner”, in relation to a grave space, means the person who has acquired the exclusive right of interment in a grave space;

“prescribed fee” means the appropriate fees as prescribed by the Council in terms of section 30(1) of the Act;

“Public and Environmental Health Act” means the Public and Environmental Health Act, 2015 (Act No. 1 of 2015);

“Registrar of Death” means a person designated as a Registrar of Deaths in terms of section 3 the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963);

“still born” means loss of a baby before delivery;

“the Act” means the Local Authorities Act, 1992 (Act No. 23 of 1992); and

“vault” means an enclosed space covered with an arched roof, a burial chamber, wholly or partly underground.

## PART 2 CONTROL OVER INTERMENTS AND CEMETERIES

### **Disposal of bodies**

2. (1) A person may not dispose of a body, except by the process of cremation in a properly constituted crematorium or by interment.

(2) Subject to the provisions of Part 7, a person may not inter a body in any place other than a cemetery without the written permission of the Council.

(3) A person who contravenes subregulation (1) or (2) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

### **Permission to interment**

3. (1) A person may not inter or cause to be interred a body or the ashes of a cremated body in a cemetery unless –

- (a) in the case of a body, a written order signed by the Registrar of Death is submitted to the environmental health practitioner along with the notice of interment;
- (b) in the case of ashes, the cremation certificate or a copy of the certificate certified by a commissioner of oaths is submitted to the environmental health practitioner together with the notice of interment;
- (c) in all cases where an inquest has been held, a magistrate’s written authority for interment together with the notice of interment is submitted to the environmental health practitioner;
- (d) the prescribed fees have been paid; and
- (e) the interment occurs in accordance with an arrangement with the environmental health practitioner.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

### **Free burial**

4. The Council may, on application by a person, inter a body free of charge at a place and manner it considers appropriate.

**Hours of admission to cemeteries**

5. Every cemetery is open to the public every day of the week during such hours as the Council may determine, but the Council may temporarily close any cemetery or portion of a cemetery for such period as determined by the Council.

**Children**

6. A child may not enter any cemetery unless he or she is accompanied by an adult.

**Visitors to keep to paths**

7. (1) A person may not –

(a) enter or depart from a cemetery, except through an entrance gate; or

(b) leave a road or path in a cemetery, except for purposes permitted by these regulations or for the purpose of going to a grave space.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

**Soliciting business, distribution of tracts and business cards and advertising prohibited at cemeteries**

8. (1) A person may not solicit or conduct any business, order or exhibit, distribute or leave any tract, business card or advertisement within a cemetery or use a cemetery road or path for the conveyance of any goods or other articles, except when intended for use in the cemetery.

(2) The environmental health practitioner may remove from a cemetery a person who, in the opinion of the environmental health practitioner, is holding or taking part in a demonstration, creates nuisance or commits unseemly or indecent act in the cemetery.

(3) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

**Disturbance of soil and plants**

9. (1) Except where it is expressly permitted by these regulations, a person may not pluck any flower or remove, destroy or damage any tree, shrub or plant, whether wild or cultivated, which grows in a cemetery or remove or disturb the soil or in any way interfere with any grave or structure in a cemetery.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

**Animals in cemetery**

10. (1) A person may not bring into a cemetery any bird or animal without the prior consent of the environmental health practitioner, and the environmental health practitioner may give the consent after he or she is satisfied that such bird or animal is under the supervision and control of a responsible person.

(2) The Council may, without payment of any compensation to the owner, destroy or impound any bird or animal found in the cemetery without authorisation from the environmental health practitioner, and the owner of that bird or animal is liable for any damage caused by the animal or bird.

### **Vehicles prohibited**

11. (1) A person may not bring into a cemetery any vehicle or cycle, except vehicles used for conveying a body, the immediate family of a deceased person or a minister of religion.

(2) A vehicle conveying goods for use in a cemetery may, with the permission of the environmental health practitioner, enter the cemetery and the driver of the vehicle must act under the direction of the environmental health practitioner.

(3) A person who contravenes subregulation (1) or (2) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

### **Rights to ground in cemetery**

12. A person may not acquire any right to, or interest in, any ground in any cemetery other than such rights or interests which have been acquired in terms of these regulations.

### **Validity of written permission, notice or other documents**

13. A written permission, notice or other document issued by the Council under these regulations is only valid if it is signed by the Council or staff member of the Council.

### **Firearms**

14. (1) A person may not –
- (a) bring into a cemetery a firearm; or
  - (b) discharge a firearm in a cemetery,

expect in the case of a funeral service at which military honours are paid, for religious beliefs or official security reasons of which such declaration must be made to the environmental health practitioner before entry into the cemetery.

(2) A person who contravenes this regulation commits an offence and is liable on conviction to the penalties provided for by section 42(4) of the Arms and Ammunition Act, 1996 (Act No. 7 of 1996).

## **PART 3 GRAVE SPACES AND INTERMENT**

### **Reservation of grave space**

15. (1) Subject to these regulations, the Council may reserve land in a cemetery for subdivision into grave spaces and may grant to any person the exclusive right of interment in any allocated grave space subject to payment of the prescribed fee by the person.

(2) Any person intending to reserve the use of any grave space referred to in subregulation (1) must apply to the environmental health practitioner on a form provided by the Council.

(3) The environmental health practitioner may grant an application and allocate the grave space referred to in subregulation (2).

(4) A reservation of a grave space granted to a person under this regulation is valid for a period of 12 months ending 30 June each year, and such person may renew such reservation on payment of the prescribed fees, and a pro-rata amount may be levied in the first year.

(5) If a person who has made a reservation under this regulation fails to renew the reservation, the environmental health practitioner must, in writing, notify the person that the reservation be renewed within 30 days from the date of receipt of the notice, failing which the reservation lapses and the Council may re-allocate such grave space.

(6) If a person fails to comply with the notice in terms of subregulation (5) or the notice is unclaimed, the reservation automatically lapses, and the Council may re-allocate the grave space.

### **Certificate of exclusive right of burial in grave space**

16. The environmental health practitioner must issue a certificate of exclusive right of interment in a grave space to any person who has been allocated with a grave space under regulation 15.

### **Register of transfer**

17. (1) The Council must maintain a register of transfer in which all transfer of reserved grave space must be recorded.

(2) A right to a reserved grave space allocated under these regulations is not transferable, except with the approval of the environmental health practitioner.

(3) Every transfer of a reserved grave space in accordance with subregulation (2) must be registered in a register of transfer and the prescribed fee must be paid by the transferee before transfer is effected.

(4) A transfer of a reserved grave space which does not comply with the subregulation (2) is invalid.

### **Register of burials**

18. The Council must maintain a register in which all burials must be recorded in terms of these regulations.

### **Fees for duplication of documents**

19. A person requiring a certified extract from the register of burials or a certificate of transfer and registration of transfer of a grave space must pay the prescribed fees.



**Payment of fees**

20. All fees and charges payable under these regulations in respect of the interment of a body or ashes must be paid to the Council by the person signing the notice of burial and the Council must issue a receipt for every payment.

**Alteration of days of burial**

21. Where the day or hour previously fixed for interment is altered to a later stage, notice of such alteration must be given to the environmental health practitioner not less than five hours before such interment.

**Dimensions of grave space**

22. The maximum dimensions of a kerb or bordering of a grave must be as follows:
- (a) adult's grave 2,20m x 1,10m;
  - (b) child's grave 1,50m x 0,75m; and
  - (c) still born grave 1m x 0.5m.

**Dimensions of graves**

23. (1) The dimensions of the aperture for any grave must be as follows:
- (a) for adults:  
length: 2m  
width: 0,8m  
depth: 2,44m;
  - (b) for children:  
length: 1,5m  
width: 0,6m  
depth: 1,22m; and
  - (c) for stillborn;  
length: 1m  
width: 0.5m  
depth: 0.8m.

(2) Any person requiring an aperture of larger dimensions for any interment must, in the notice of burial concerned, give the maximum overall dimensions of the coffin, including its fittings and the Council must provide a grave space for such dimension.

**Burials in graves**

24. (1) Subject to subregulation (2), a person may not inter more than two bodies in a grave space unless authorised by the environmental health practitioner.

(2) Despite subregulation (1), the Council may, with the written consent of the magistrate and an environmental health practitioner and on good cause shown, give permission for a third body to be buried in a grave in which two bodies have been buried.

(3) Where early and rapid decomposition of a body has commenced, the Council may, on the recommendation of the chief executive officer, inter the body before the time fixed for interment, but the person who signed the notice of interment must be informed of the time of such interment.

(4) Where it is known that a person has died of a contagious disease, the body of the person must be interred in accordance with the provisions of the Public and Environmental Health Act or on the instructions of an environmental health practitioner or the Council.

(5) The top of each coffin containing the body of -

(a) an adult must be at least 1,20m;

(b) a child at least 1,10m; and

(c) a still born at least 0.8m,

below the ordinary surface of the ground.

#### **Interment of ashes**

25. (1) An urn, casket or receptacle containing the ashes of a body must, on payment of the prescribed fee, be buried or placed in the space or place set aside for that purpose by the Council.

(2) The Council may give permission for the burial of an urn, casket or receptacle containing ashes in a grave space, subject to payment of the prescribed fee by the person giving the notice of interment.

#### **Disturbing of human remains**

26. A person may not disturb any human remains or any soil adjacent to the human remains in a cemetery, except for a purpose expressly permitted by these regulations.

#### **Grave alignments and encroachments**

27. (1) In erecting a memorial work, every person must enclose the grave space in such a manner as to secure uniformity of alignment and straightness of the memorial work.

(2) Any person who fails to comply with subregulation (1) or encroaches on any road, path, adjoining ground or grave space must remedy the defect or remove the encroachment, if required by the environmental health practitioner.

(3) If the person referred to in subregulation (2) fails to remedy the defect or remove the encroachment, the work carried out by the person may be removed by the Council and the person is liable for any costs incurred by the Council.

### **PART 4 FUNERALS**

#### **Notice of attendance of mourners**

28. Where more than 100 mourners are expected to attend the interment, the person giving notice of such interment must notify that fact to the environmental health practitioner before the day of interment.

**Notice of interment**

29. (1) A burial ceremony may not take place unless a notice of interment has been given to the environmental health practitioner at least 24 hours prior to such interment.

(2) In cases of extreme urgency and where subregulation (1) cannot be complied with, the environmental health practitioner must be informed and the reasons for such urgency must be given and recorded and all other information regarding the interment.

**Religious ceremonies**

30. Members of any religious denomination may, with the approval of the Council, conduct religious ceremonies in connection with any interment or memorial service at a place determined by the Council.

**Exposure of bodies**

31. A person may not convey a body in a manner that exposes the body or any part of it in any street, cemetery or public place.

**Days and hours of interment**

32. (1) A person may not hold a burial ceremony on a public holiday unless he or she has obtained the written consent of the environmental health practitioner.

(2) Where the environmental health practitioner grants permission under subregulation (1), the person undertaking the burial must pay the prescribed fees and must make all necessary arrangements with the environmental health practitioner, and the Council is not liable for any delay in such arrangements.

(3) A person may not conduct a burial between 17:00 and 07:00, except in cases of extreme urgency and in such a case the environmental health practitioner must record the reasons for such urgency and all other information regarding the interment.

**Directions by environmental health practitioner**

33. A person taking part in a funeral procession or ceremony must comply with any direction of the environmental health practitioner.

**PART 5****EXHUMATION OF BODIES, RE-OPENING OF GRAVES AND CARE OF GRAVES****Exhumations**

34. (1) A person may not exhume a body or re-open a grave unless the person has obtained an authorisation, in writing, from the Council.

(2) In circumstances where the death is due to an infectious disease the exhumation of the body must be carried out in accordance with the provisions of the Burial Place Ordinance, 1966 (Ordinance No. 27 of 1966), the Public and Environmental Health Act, these regulations or any other law governing such exhumation.

(3) A notice of exhumation must be submitted to the environmental health practitioner at least two days before the date of the proposed removal of the body, except in cases of emergency where an arrangement may be made to meet such emergency.

**Time of exhumation**

35. The exhumation of a body must take place during such time as permitted by the environmental health practitioner.

**Screening of exhumation operation**

36. The grave from which a body is to be exhumed must be effectively screened from view during the exhumation, and a suitable coffin to receive the exhumed body must be readily available.

**Removal of body from one grave to another**

37. (1) If at any time the exhumation and removal of a body becomes necessary, or if a body was buried in a grave in contravention of these regulations, the Council may, subject to any other law, cause such body to be removed from that grave to another grave.

(2) The removal of a body in terms of subregulation (1) must only take place after every relative of the deceased person residing within the local authority area and whose address is known has been notified of the intended removal.

(3) If no relative of the deceased person concerned can be located, the Council may remove such body after the Council has given a notice of intention to remove the body in accordance with subregulation (4).

(4) The notice referred to in subregulation (3) must be placed in two newspapers widely circulating in Namibia and the placement of the notice must be once a month for two consecutive months.

(5) The notice referred to in subregulation (3) must state the name, identity number and last address of the deceased and notifying relatives of the deceased that the body will be removed and moved to another grave at a time and date specified in that notice which date must not be later than 30 days after the date of the last notice.

**Care of graves and grave spaces**

38. The Council is responsible for keeping grave spaces free from weeds and other undesired plants.

**Planting of shrubs**

39. (1) A person may, with the permission of the environmental health practitioner, plant a shrub, plant, tree or flower on a grave.

(2) Subject to subregulation (3), a person may not, without the consent of the environmental health practitioner, use artificial flowers, cut or remove any shrub, plant, tree or flower planted on a grave.

(3) Despite subregulation (2), the Council may prune, cut down, dig up or remove any shrub, plant, tree or flower planted on a grave at any time without paying any compensation to the owner of such grave space.

(4) A person who contravenes subregulation (2) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

PART 6  
ERECTION AND MAINTENANCE OF MEMORIAL WORK

**Vaults and brick grave**

40. (1) A person may not construct a vault or a brick grave in any part of a cemetery without the prior consent of the environmental health practitioner.

(2) A person interring a body in a vault or brick grave must, immediately after the interment, fill up the grave with earth to the satisfaction of the Council.

(3) Regulations 22 and 23 regarding the depths of graves applies to a grave referred to in subregulation (1).

**Erection of memorial work**

41. (1) A person who intends to construct or erect a vault, brick grave or memorial work in a cemetery must obtain approval from the environmental health practitioner approving the drawing and specification or a description of the work concerned.

(2) A person who has obtained approval from the environmental health practitioner under subregulation (1) may not deviate from the drawing and specification or description as approved, except with the written consent of the environmental health practitioner.

(3) Any drawing and specification or a description of a work submitted to the environmental health practitioner for approval in terms of subregulation (1) must be accompanied by the prescribed application fee.

(4) A person may not erect any vault, brick grave or memorial work on any grave, except in such position as the environmental health practitioner may indicate.

(5) A person may not bring any material into a cemetery for the purpose of constructing any memorial work or any brick grave or vault on a grave space unless -

- (a) all prescribed fees due in respect of such grave space have been paid; and
- (b) the environmental health practitioner has given his or her approval.

(6) A person may not leave a tombstone or any material to be used for the construction of memorial work in a cemetery for longer than seven days without erecting it, failing which the Council may remove such material or tombstone and the person is liable for any costs incurred by the Council.

(7) Where a memorial work erected on a reserved grave space is removed for the purpose of an interment or any other purpose, the person who removes such memorial work is responsible for the re-erection of such memorial work.

**Rejection of memorial work**

42. The Council may reject any proposed memorial work or inscription which, in the opinion of the Council, is of inferior quality or is likely in any way to disfigure any cemetery or calculated to hurt or offend the feeling of the public.

**Conduct in cemetery**

43. A person may not sit, stand or climb on or over any memorial work, gate, wall or fence or any building in a cemetery, except with the permission of the environmental health practitioner.

**Defacing monument**

44. (1) A person may not draw, scribble, erect advertisements on, or in any way mark or deface, any wall, building, fence, gate, memorial work or other erection within or around the cemetery, except with the permission of the environmental health practitioner.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

**Repair of memorial work**

45. If the Council is of the opinion that any memorial work falls into a gross state of disrepair, the Council may inform the relative of the deceased person to repair the memorial work, and where relatives could not be traced the Council may repair such memorial work to an acceptable standard.

**Supervision of work**

46. A person engaged to render any work in a cemetery must affect such work under the supervision, and to the satisfaction, of the environmental health practitioner.

**Damage to memorial work**

47. The Council is not liable for damage which may occur to any memorial work from any cause.

**Regulation of construction of memorial work**

48. In the construction of any memorial work, the following must be complied with –
- (a) a person erecting a tombstone on any grave must, if requested by the Council, provide a reinforced concrete block extending over the breadth of the grave with each end resting on solid ground to an extent of not less than 30 cm to serve as a solid base of the tombstone and the design and construction of such concrete block must be subject to the approval of the environmental health practitioner;
  - (b) the underside of every flagstone memorial and the base of every monument or headstone must be set at least 5cm below the ordinary ground level;
  - (c) a person may not construct any border stone which is more than 22cm above the surface of the ground or which extends more than 20cm below the surface of the ground altogether, without the consent of the environmental health practitioner;
  - (d) any headstone must be securely attached to the base of the grave to the satisfaction of the environmental health practitioner;
  - (e) soft stone may not be used for any memorial work; and

- (f) the base stone of any monument must be in proportion to the size and weight of the structure to be erected on it, and the environmental health practitioner must decide as to the base stone to be used for each monument.

### **Vehicles and tools**

49. Every person engaged to do any work on a grave or grave space must provide the vehicles, tools and other appliances which may be required for such work, but the vehicles, tools or appliances may not be of such a nature that their use constitutes a contravention of these regulations.

### **Rubbish and debris**

50. (1) A person may not leave any rubbish, loose soil, stone or other debris within a cemetery, or in any way damage or deface any part of a cemetery or anything contained in it.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

### **Prohibition of work on weekends and holidays**

51. A person may not bring any memorial work or material or do any work within a cemetery from 17:00 to 7:00 every day of the week and no memorial work may be done on any public holiday, except with the permission of the Council.

### **Unsuitable weather**

52. A person may not fix or erect any memorial work in inclement weather or while the ground is, in the opinion of the environmental health practitioner, in an unfit state.

### **Production of permit**

53. A person in charge of work at a cemetery or on his or her way to or from work within a cemetery must, on demand by the Council or the environmental health practitioner at any time, produce his or her written permit to carry out such work.

## **PART 7 CREMATION**

### **Definitions for this Part**

54. For purposes of this Part –

“columbarium” means a wall erected by the Council in which ashes may be placed; and

“garden of remembrance” means a garden provided by the Council where ashes may be scattered.

### **Deposit of ashes**

55. (1) The Council may provide buildings, niches or other facilities for the deposit and preservation of the ashes of cremated bodies and may further provide memorial tablets of such material as it may approve.

(2) Any matter placed in or on any niche or space for memorial tablets and all inscriptions must be approved by the Council.

(3) Niches and spaces must be allocated strictly in sequence and no reservations for future use must be made.

### **Disposal of ashes**

**56.** (1) An urn or a receptacle for ashes must be provided by the representative of the deceased or by the undertaker unless ashes are to be scattered in the garden of remembrance.

(2) An urn or a receptacle to be placed in a niche in the columbarium must be made of terracotta or such other material as may be approved by the Council.

(3) Niches may be closed off with a memorial tablet approved by the Council.

(4) A person may not remove an urn containing ashes and deposited in the columbarium without the written consent of the environmental health practitioner.

(5) Every niche containing ashes must be sealed by such tablet as may be approved by the environmental health practitioner and must only be opened for the purpose of withdrawing the urn or casket contained in it for disposal elsewhere or for the purpose of depositing an additional urn or casket in it.

### **Memorial work**

**57.** (1) A person may not erect, alter or in any way interfere with any memorial work or make any inscription on the columbarium or in its grounds without the written consent of the Council, which consent must be granted only on production of the written consent of the person who applied for cremation of a body.

(2) A person may not undertake any work referred to in subregulation (1) unless the consent referred to in that subregulation is submitted to the environmental health practitioner.

(3) A person who undertakes the work referred to in subregulation (1) must undertake that work continuously until final completion.

(4) A person may not erect or construct or attempt to erect or construct any memorial work on the columbarium or its grounds, unless he or she is a qualified monumental artisan or a stonemason.

(5) The Council may reject any proposed memorial work which, in the opinion of the Council, is of inferior quality or is likely in any way to disfigure the columbarium or its grounds.

(6) Any person engaged on any work on the columbarium or its grounds must execute the work under the supervision of the Council and such work must be undertaken during ordinary working hours.

### **Limitation of liability**

**58.** The Council is not liable for any damage to any memorial work from any cause, unless the damage has been caused by a staff member of the Council in the course of his or her employment.



**Material for memorial work**

**59.** A person not authorised by the Council may not introduce any material into the columbarium or into its grounds for the purpose of constructing or erecting any memorial work unless -

- (a) a copy of the proposed inscription has been submitted to the environmental health practitioner and has been approved; and
- (b) all prescribed fees due in respect of the grave, niche or memorial tablet have been paid.

**Permanent wreaths**

**60.** A person may not place a permanent wreath, spray, flower or floral tribute in a columbarium or in its grounds unless the person is authorised by the environmental health practitioner.

**Book of remembrance**

**61.** A person may not make an inscription in the book of remembrance provided by the Council.

**Visit to garden of remembrance or memorial garden**

**62.** The garden of remembrance or memorial garden may be visited at any time between 07:00 and 17:00 every day of the week including Sundays and public holidays.

PART 8  
GENERAL PROVISION

**Offences**

**63.** A person who obstructs, resists or opposes the environmental health practitioner in the performance of his or her duties or refuses to comply with any order given by the environmental health practitioner in terms of these regulations commits an offence and is liable on conviction to a fine not exceeding N\$5 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

**Notices, applications and other documents**

- 64.** Any –
- (a) notice;
  - (b) consent, permission, authorisation or approval;
  - (c) application;
  - (d) certificate; or
  - (e) or any other document,

required to be given, made or issued in terms of these regulations must be made on a form to be provided by the Council.

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