

Statutory Instrumentof 2023

Manyame Rural District Council (Funeral Parlours and mortuaries) By-Laws, 2023

ARRANGEMENT OF SECTIONS

SECTION

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IT is hereby notified that the Minister of Local Government and Public Works, in terms of section 90 of the Rural District Councils Act [*Chapter 29:13*], approved the following by-laws made by Manyame Rural District Council

Title

These by-laws may be cited as the Manyame Rural District Council Funeral Parlours and Mortuaries By-Laws, 2023.

Application

These by-laws shall apply to the area under the jurisdiction of Manyame Rural District Council.

Interpretation

In these by-laws.

“Authorized officer means any person employed by the Council and authorised to carry out any functions in terms of these by-laws

“A *funeral parlour*” means a place where a dead person is prepared for burial and or cremation.

“*Mortuary*” means a room or building in which dead bodies are kept, for hygienic storage or for examination, until burial or cremation.

“Council” means Manyame Rural District Council.

“RBDA” means the Births and Deaths Registration Act Chapter 5:02

“*Registered funeral parlour*”- means a registered funeral parlour registered with the

4. Requirements for the establishment of a funeral parlour or mortuary

(1)

5. Establishment of a funeral parlour or mortuary

- (1) No person shall operate a funeral parlour or mortuary without the approval of Council.
- (2) Any person who contravenes subsection (1) shall be liable to a penalty set by Council and Council shall cause closure of the parlour or mortuary.

5. Application for funeral parlours and mortuaries

(1). Any person who wishes to operate a funeral Pallor shall submit an application to Council together with the following:

- (i) application fee
- (ii) Satisfactory health report from a Health Inspector
- (iii) Fire inspection certificate
- (iv) proof of alternative sources of energy either solar or generator at least 5KVA
- (v) proof of water reservoir of at least 5000l
- (vi) Police Clearance

- (2) Successful applicants shall be issued with a permit subject to payment of the prescribed permit fee and satisfaction of conditions set by Council.

Renewal of Permit and Expiry of Permit

6. (1) An application for renewal of Permit shall be made to Council in the prescribed form upon payment of the prescribed application fee.
- (2) A Permit or renewal thereof shall terminate on the 31st of December of the year for which it is granted.

Cancellation of permit

7. (1) Council shall cancel a permit if the holder thereof at any time after the issue of the Permit—

- (a) has been convicted of any offence under these by-laws

Inspections

7. (1) An authorised official shall for any purpose relating to the implementation and enforcement of these By-laws –

- (a) Inspect the premises at any reasonable time during which an activity which is relevant in respect of the implementation or enforcement of these By-laws

Obstruction

8.(1) No person shall obstruct, hinder or interfere with an authorised official in the exercise of any power or the performance of any duty under these By-laws;

- (2) No person shall fail or refuse to furnish an authorised official with any documentation or information required for the purposes of these By-laws or furnishes a false or misleading document or false or misleading information;

- (3) Any person who contravenes subsection (1) and (2) shall be liable to a Penalty prescribed by Council.

Schedule of fines