

Cemeteries

Cap. 39C.

CEMETERIES REGULATIONS, 1999

1999/79.

Authority: These Regulations were made on 14th September, 1999 by the Sanitation Service Authority with the approval of the Minister under section 31 of the *Cemeteries Act*.

Commencement: 23rd September, 1999.

1. These Regulations may be cited as the *Cemeteries Regulations, 1999*. Citation.

2. In these Regulations,
"cemetery" means a public or private cemetery licensed as such under the *Cemeteries Act*;
"Superintendent" means Superintendent of Cemeteries.

Interpretation.

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3. Every cemetery shall be open for burials from 8:00 a.m. to 5:00 p.m. Monday through Saturday.

Opening hours of cemeteries.

PART II*Public Cemeteries*

4. (1) Every public cemetery shall be laid out in numbered sections, and every section shall be divided into allotments of 8 metres by 4 metres each and shall be numbered consecutively.

Layout of public cemetery.

(2) A portion of every public cemetery shall be set aside by the burial authority for the burial of paupers.

(3) The burial authority may also in their discretion set aside a portion of any public cemetery for the burial of members of any specific religious denomination.

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- Jurisdiction. **5.** There shall be a Superintendent, who shall have jurisdiction over all public cemeteries.
- Require-
ments
respecting
graves. **6.** (1) Every grave in a cemetery shall be opened in sections or rows at such distance apart as the Chief Medical Officer may direct, and shall be dug to not less than the following depths below the surface:
- (a) 4 metres for the body of an infant under 3 years of age;
 - (b) 4 metres for the body of a child between the ages of 3 years and 5 years;
 - (c) 6 metres for the body of a person over the age of 5 years.
- (2) In the case of the burial of more than 2 bodies in separate coffins in one grave at the same time, such grave shall be dug to a depth of not less than 7 metres.
- (3) A person who contravenes subsection (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.
- One body in
a grave. **7.** Only one body shall be buried in a grave at a time unless the bodies are those of members of the same family.
- Permission
to bury
body. **8.** Applications for permission to bury the dead shall be made in writing to the Superintendent, and shall be accompanied by the burial permit of the persons to be buried as proof that the death has been registered.
- Re-opening
grave
without
permission
etc. **9.** Every person
- (a) who re-opens a grave without the permission of the Chief Medical Officer; or
 - (b) who, having obtained permission pursuant to paragraph (a), refuses to pay the prescribed fee,
- is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

10. The Superintendent shall certify the burial of a pauper in a cemetery. Burials of paupers.

11. The Superintendent shall keep the cemeteries under his charge in a clean and sanitary condition. Upkeep of cemeteries.

PART III

Private Cemeteries

12. The burial authority may at any reasonable time enter and inspect any private cemetery. Inspection.

13. (1) In this Part, "operator" means the operator of a private cemetery. Upkeep of private cemeteries.

(2) An operator shall take the proper steps to keep the cemetery in a clean and sanitary condition to the satisfaction of the Superintendent and the Chief Medical Officer.

14. (1) Every grave in a private cemetery shall be opened in sections or rows at such distance apart as the Chief Medical Officer may direct, and shall be dug to not less than the following depths below the surface: Requirements respecting graves.

- (a) 4 metres for the body of an infant under 3 years of age;
- (b) 4 metres for the body of a child between the ages of 3 years and 5 years; and
- (c) 6 metres for the body of a person over the age of 5 years.

(2) In the case of the burial of more than 2 bodies in separate coffins in one grave at the same time, such grave shall be dug to a depth of not less than 7 metres.

(3) A person who contravenes subsection (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

One body in a grave. **15.** Only one body shall be buried in a grave at a time unless the bodies are those of members of the same family.

Re-opening unwallied grave in private cemetery. **16.** (1) No unwallied grave shall be re-opened within 5 years after the burial of any person who is older than 12 years, except for the purpose of burying another member of the same family.

(2) Where an unwallied grave is re-opened and the smell of the soil is found to be offensive, the soil shall not be disturbed and the grave shall be closed and no human remains shall be removed.

Mausoleums and vaults. **17.** Every mausoleum or vault erected in a private cemetery

(a) shall be inspected and approved by the burial authority before use; and

(b) shall be hermetically sealed.

(2) Niches may be erected in a mausoleum or vault for the storage of cremated remains.

PART IV

Miscellaneous

Permission to exhume body. Cap. 113. **18.** (1) No body or remains of a body buried in a public or private cemetery shall be exhumed within 5 years of the date of burial except under an order of a Coroner under the *Coroners Act*, or under a licence issued by the Minister on the advice of the Chief Medical Officer.

(2) Every application for a licence to exhume a body or the remains of a body from any part of a public or private cemetery

- (a) shall be in writing;
- (b) shall be addressed to the Chief Medical Officer; and
- (c) shall be accompanied by a certified copy of the entry in the Register of Deaths.

- (3) Every such application shall contain the following particulars:
- (a) the name of the deceased person in full;
 - (b) the age of the deceased person;
 - (c) the sex of the deceased person;
 - (d) the date of the burial;
 - (e) the exact purpose for which the exhumation is required; and
 - (f) the relationship (if any) of the applicant to the deceased.
- (4) Every application shall be accompanied by a copy of the death certificate issued by the Registrar and a registration certificate of death.
- (5) In every case where an application for an exhumation is granted, the prescribed fee shall be paid by the applicant to the Chief Medical Officer under whose direction the exhumation shall take place, and the fee so received shall be paid into the Consolidated Fund.
- (6) Every person to whom a licence is granted to exhume a body shall take or cause to be taken all such precautions and do all such acts and things as the Chief Medical Officer may require with a view to prevention of a nuisance.
- (7) Every exhumation or removal done pursuant to paragraph (6) shall be carried out under the direction of the Superintendent.
- (8) All expenses incurred for the re-opening of a grave and the restoration of the ground to its original condition to the satisfaction of the Chief Medical Officer shall be paid by the applicant.