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TO WHOM IT MAY CONCERN

CORONA VIRUS (COVID-19) AND THE DECLARATION OF A NATIONAL DISASTER – PROCEDURES WITH GRAVEYARD APPLICATIONS AND MANAGEMENT AT THE CEMETERY

Dr Nkosasana Dlamini Zuma, Minister of Cooperative Governance and Traditional Affairs, designated under section 3 of the Disaster Management Act, 2002 (act No. 57 of 2002), declared a national state of disaster, published in Government Gazette No. 43096 on 15 March 2020, in terms of section 27(2) of the Disaster Management Act, 2002, after consultation with the relevant Cabinet members, made Regulations which must be adhered to.

As funeral undertaker you are requested to familiarise yourselves with the regulation published by Government Notice 480 of 29 April 2020. For ease of reference, attached you find a copy of regulation 18: Attendance of funerals.

During a funeral, all hygienic conditions and distancing measures must be adhered to for the limitation of exposure of persons at the funeral to COVID-19.

Further to the above funeral undertaker must provide all people attending a funeral with information that raises awareness in any form or manner, including where reasonably practicable leaflets and notices informing them of the dangers of the virus, the manner of its transmission, the measures to prevent transmission such as personal hygiene, social distancing, use of masks and cough etiquette.

Your cooperation in this respect is highly appreciated.

Yours Faithfully



**J.A. STEYN Pr Tech Eng / Pr CPM
DIRECTOR TECHNICAL SERVICES**



**D. McTHOMAS
MUNICIPAL MANAGER**

Movement of children

17. (1) The movement of children between co-holders of parental responsibilities and rights or a caregiver, as defined in section 1(1) of the Children's Act, 2005 (Act No. 38 of 2005), in the same metropolitan area or district municipality is allowed subject to the following if the co-holders of parental responsibilities and rights or a caregiver is in possession of—

- (a) a court order; or
- (b) a parental responsibilities and rights agreement or parenting plan, registered with the family advocate
- (c) a permit issued by a magistrate where which corresponds with Form 3 of Annexure A if the documentation in paragraphs (a) and (b) is not available.

(2) The movement of children between co-holders of parental responsibilities and rights or a caregiver, as defined in section 1(1) of the Children's Act, 2005 (Act No. 38 of 2005), between different metropolitan areas, district municipalities or provinces is allowed if the co-holders of parental responsibilities and rights or a caregiver is in possession of a permit, issued by a magistrate which corresponds with Form 3 of Annexure A.

(3) Any child who was not at the residence of their primary caregiver before the lockdown period and who could not travel between provinces, metropolitan and district areas during the lockdown will be permitted, on a once-off basis, to return to the residence of their primary caregiver if the co-holders of parental responsibilities and rights or a caregiver is in possession of a permit issued by a magistrate which corresponds with Form 3 of annexure A.

(4) The household to which the child has to move, must be free of COVID-19.

(5) (a) Before a magistrate issues a permit referred to in regulation 17(1)(c), he or she must be provided with—

- (i) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
- (ii) written reasons why the movement of the child is necessary.

(b) Before a magistrate issues a permit referred to in 17(2) or (3), he or she must be provided with—

- (i) A court order
- (ii) a parental responsibilities and rights agreement or parenting plan registered with the family advocate or
- (iii) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
- (iv) written reasons why the movement of the child is necessary.

Attendance of funerals

18. (1) Movement between a province, metropolitan area or district by a person wishing to attend a funeral shall only be permitted if that person so wishing to attend the funeral is a—

- (a) spouse or partner of the deceased;
- (b) child of the deceased, whether biological, adopted or stepchild;
- (c) child-in-law of the deceased;
- (d) parent of the deceased whether biological, adopted or stepparent;

- (e) sibling, whether biological, adopted or stepbrother or sister of the deceased; or
- (f) grandparent of the deceased;
- (2) Attendance at a funeral is limited to 50 people and will not be regarded as a prohibited gathering.
- (3) Night vigils at a funeral is banned.
- (4) During a funeral, all hygienic conditions and distancing measures must be adhered to for the limitation of exposure of persons at the funeral to COVID-19.
- (5) Each person, whether traveling alone or not, wishing to attend a funeral and who has to travel between districts, or between provinces to attend a funeral must obtain a permit which corresponds substantially with Form 4 of Annexure A, from his or her nearest magistrate's office or police station to travel to the funeral and back.
- (6) The head of court, or a person designated by him or her, or a station commander of a police station or a person designated by him or her, may issue the permit to travel to a funeral.
- (7) Upon a request for a permit to attend a funeral, a person requesting a permit must produce a death certificate or a certified copy of the death certificate to the head of court, or a person designated by him or her, or a station commander of a police station or a person designated by him or her. Provided that where a death certificate is not yet available, and the funeral must be held within 24 hours in keeping with cultural and religious practices, the person requesting the permit must make a sworn affidavit which corresponds with Form 5 of Annexure A, together with a letter from a cultural or religious leader confirming the need for the funeral within 24 hours.
- (8) Only two family members or a person with a close affiliation to the deceased may, with the required permits, be present in the vehicle transporting the mortal remains to the metropolitan or district area, or province where the funeral will take place; provided that the cause of death of the deceased being transported is non-COVID-19 related.
- (9) The Regulations for the use of public transport must be strictly adhered to when travelling.
- (10) A copy of the permit issued and the death certificate or sworn affidavit made, must be kept safely by the head of court, or station commander of a police station for record keeping for a period of three months after the national state of disaster has ended, where after it may be destroyed.
- (11) All forms must be completed in full, including full names, identification or passport numbers and full contact details as required in the form and failure to do so will result in the form being rejected as invalid.

Prohibition on evictions

19. A competent court may grant an order for the eviction of any person from land or a home in terms of the provisions of the Extension of Security of Tenure Act 62 of 1997 and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998: Provided that any order of eviction shall be stayed and suspended until the last day Alert Level 4, unless a court decides that it is not just and equitable to stay and suspend the order until the last day of the Alert Level 4 period.