



health

Department:
Health
REPUBLIC OF SOUTH AFRICA

DIRECTOR-GENERAL: HEALTH

NOTICE

**To: All Municipal Managers of District and Metropolitan Municipalities
Provincial Head of Departments: Health**

MONITORING OF COMPLIANCE OF FUNERAL UNDERTAKERS TO REGULATIONS RELATING TO THE MANAGEMENT OF HUMAN REMAINS R363 OF MAY 2013 PUBLISHED UNDER THE NATIONAL HEALTH ACT, 2003 (ACT 61 OF 2003), IN THE REPUBLIC OF SOUTH AFRICA

During the current COVID -19 pandemic, there has been reports of recent challenges in relation to the removal and collection of human remains from health facilities to private mortuaries/funeral undertakers' premises by private funeral undertakers and agents.

In terms of the above-mentioned Regulations, no person shall prepare or store any human remains anywhere other than on approved funeral undertaker's premises or mortuary in respect of which a certificate of competence (COC) has been issued by the relevant local authority.

We have received reports that health facilities are refusing to release human remains to private funeral undertakers unless they produce a certificate of competence. The regulations governing the management of human remains do not prescribe a requirement of a certificate of competence for removal of human remains from a health facility to a private mortuary, however it is required that such human remains are moved to a premises in possession of a COC for preparation, storage and preservation.

District and Metropolitan Municipalities, through their Municipal Health Services units are empowered to monitor compliance of mortuaries and funeral undertaker's premises to the regulations in their area of jurisdiction to ensure possession of a COC for protection of public health.

It is therefore crucial that only Environmental Health Practitioners (EHPs) monitor the collection of human remains from health facilities to ensure that the removal thereof is to compliant premises in possession of a COC. Therefore, these powers cannot be delegated to any other person in any

other institution, such as administrative officials in a health facility. In the same breath, EHPs must take all necessary action to ensure that human remains are not stored, handled and preserved in premises without a valid COC.

All Municipal Managers of District and Metropolitan Municipalities are hereby requested to urgently conduct a compliance monitoring activity of all private mortuaries and funeral undertakers premises and to visit all funeral undertakers operating in their areas of jurisdiction to conduct inspections to verify if they are operating legally and issued with a valid certificate of competence; and If they are operating without a certificate of competence take reasonable action against owners of such premises and provide a report to the National Department of Health on the number of such premises and corrective actions taken in this regard.

It is also known that there are businesses running as funeral agents. These are undertakers that do not own a mortuary premises but they outsource the service of handling and storage of human remains to other premises. In this case it is critical that EHPs puts monitoring systems in place to ensure that premises outsourced to are in possession of a valid COC.

Municipalities should provide feedback to their Provincial Environmental Health Programme Managers by 22nd September 2020 and they will provide a consolidated report to national office by 25th September 2020.

We have attached the database of all funeral undertaker's premises that we have at our disposal to assist in this activity.

Your cooperation in this regard will be highly appreciated.

Sincerely



DR SSS BUTHELEZI
DIRECTOR-GENERAL: HEALTH
DATE: 09 September 2020