

GOVERNMENT NOTICE No. 190

TRINIDAD AND TOBAGO

BURIAL GROUNDS

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 4
OF THE BURIAL GROUNDS ORDINANCE, CH. 12. NO. 18

1. These Regulations may be cited as the Public Burial Grounds Regulations, 1953.

2. (a) In these Regulations—

“Public Burial Ground” means a public burial ground licensed as such under the provisions of the Burial Grounds Ordinance and other than one under the charge or control of the Council of any City or Borough.

“Chief Executive Officer” means the Warden of the County in which the public burial ground is situated.

“County Council” means the County Council for the County in which the public burial ground is situated.

(b) The Island-Ward of Tobago shall for all purposes of these regulations be deemed to be a County.

3. Each County Council shall be furnished with a plan of every public burial ground in its County. Each public burial ground shall have a distinguishing name to be recorded on such plan, shall be enclosed in such manner as the Governor may direct, and shall be open daily from daylight to dusk.

4. (a) Every public burial ground shall be laid out in numbered sections as required, and every such section shall be divided into allotments, of 5 by 10 feet each, to be consecutively numbered.

(b) A portion of every public burial ground may be set aside by the County Council for the burial of paupers only.

(c) The County Council may also, in their discretion, set aside a portion of any public burial ground for any religious denomination.

5. The Chief Executive Officer shall appoint a Keeper of each public burial ground, whose duty it will be, under the direction of the County Council, to see these Regulations carried out, to superintend and direct the opening of graves, to cause all interments to be made in such parts as may be laid out and set apart with as much regularity and uniformity as possible.

6. Books shall be kept by the Keeper, in which shall be accurately registered the interment of all persons buried, with the number of the section and allotments, and the date, name and age of the deceased, and also the name of the officiating minister, or in his absence, of some person present at the burial.

The Keeper shall furnish certified extracts of such books to all persons applying on payment to the Keeper (for his own use) of one dollar for every certificate.

7. No coffin shall be buried in any unwalled grave within six feet of the ordinary level of the ground, unless it contains the body of a child under twelve years, when it shall not be less than four feet below that level.

8. All graves shall be opened in sections or rows at such distance apart as the County Council may direct and shall be dug to not less than the following depths below the surface—

- (a) four feet for the body of a child under twelve years of age ;
- (b) six feet for the body of an adult or the bodies of two children under twelve years of age in separate coffins ;
- (c) eight feet for the bodies of two adults buried in one grave in separate coffins. In case of burial of more than two bodies in separate coffins in one grave, such grave shall be dug to a further depth of two feet for each such body.

9. Any person who shall inter or cause to be interred any corpse at a depth of less than four feet or who shall neglect or refuse to comply with the directions of the Chief Executive Officer or Keeper in regard to the opening or filling in of any grave, shall be guilty of an infringement of these Regulations and shall be liable to a fine not exceeding fifteen dollars.

10. One body only shall be buried in a grave at one time, unless the bodies be those of members of the same family.

11. No unwalled grave shall be re-opened within seven years after the burial of a person above twelve years of age, or within five years after the burial of a child under twelve years of age, except for the purpose of burying another member of the same family, in which case a layer of earth not less than one foot thick shall be left undisturbed above the previously buried coffin ; but if on re-opening any grave, the soil be found offensive, such soil shall not be disturbed, and the grave shall be at once closed up.

12. (1) No body or remains of a body interred in any public burial ground shall be disinterred or removed except upon an order of a Coroner under the Coroners Ordinance, Ch. 3. No. 5, or under a licence of the Colonial Secretary in any other case.

(2) Every application for a licence to disinter or remove a body or remains of a body from any part of any burial ground shall be in writing addressed to the Colonial Secretary and shall be accompanied by a certified copy of the entry in the Register of Deaths relating to the person whose body or remains it is desired to disinter or remove.

Every such application shall contain the following particulars—

- (a) the name in full of the deceased person ;
- (b) the age of the deceased person at death ;
- (c) the sex of the deceased person ;
- (d) the date of burial ;
- (e) the exact purpose for which the exhumation is required ;
- (f) the relationship (if any) of the applicant to the deceased.

(3) Every application must be accompanied by a statutory declaration that the facts and particulars stated in the application are true and correct.

(4) In every case where an application for an exhumation shall have been granted, a fee of ten dollars shall be paid by such applicant to the Chief Executive Officer under whose direction the exhumation shall take place, who shall pay the said fee to the credit of the General Revenue.

(5) Every person to whom a licence is granted under these Regulations shall take or cause to be taken all such precautions, and use all such disinfectants, and do all such other acts and things as the Medical Officer of Health may require with a view to the prevention of a nuisance.

(6) Every exhumation or removal under any licence granted under these Regulations shall be carried out under the direction of the Keeper of the public burial ground wherein the interment took place, and subject to the supervision of the Medical Officer of Health.

(7) All expenses incurred for the re-opening of the grave, and the restoration of the ground to its original condition to the satisfaction of the Chief Executive Officer shall be paid by the applicant.

13. All persons who, while within the precincts of any public burial ground, shall fail to comport themselves in a proper and orderly manner, or who shall interrupt any religious service, or shall attempt in any manner to profane the sacred character of the place, or who shall destroy or in anywise injure tombs, plantations, fences, or enclosures shall be guilty of an infringement of these Regulations, and shall be liable to a fine not exceeding fifteen dollars.

14. Applications for permission to bury the dead must be made to the Executive Officer or to the Keeper and the applicant must produce to the Chief Executive Officer or to the Keeper the certificate of the Registrar of the district, in which the death occurred, referred to in section 30 of the Births and Deaths Registration Ordinance, Ch. 29. No. 1, to prove that the death has been registered or that the Registrar has been duly notified of such death, and the applicant must provide grave diggers and bear all costs of interment.

15. The fees and payments payable to the Chief Executive Officer or the Keeper shall be as follows :

For permission to open a grave :	\$	c.
For each adult	1	20
For each child under 12 years		72
For exclusive right of burial in perpetuity, the right of constructing any chapel, vault, &c. :		
For an allotment 5 by 10 feet ...	15	00
For an allotment 10 by 10 feet ...	24	00
For every additional 5 by 10 feet ...	9	60

All such fees shall be paid to the credit of General Revenue.

If the purchase of an allotment be made within three years subsequent to the fees being paid for opening a grave therein, the amount paid for opening such grave shall be deducted from the purchase money of such allotment.

16. Every person who shall open a grave without permission of the Chief Executive Officer or Keeper, or who having obtained such permission shall neglect or refuse to pay the fees above specified, shall be guilty of an infringement of these regulations, and shall be liable to a fine not exceeding fifteen dollars.

17. Interments in the ground set apart for the burial of paupers only shall be made under order or certificate from the Chief Executive Officer and in such cases no fees shall be payable.

18. (1) If any animal is found tethered, wandering, straying or lying in any public burial ground, the person in charge of such animal shall be guilty of an offence against these Regulations and liable on summary conviction to a fine of ten dollars unless he proves to the satisfaction of the court before which he is charged that he had taken proper precautions to prevent the commission of such offence.

(2) In this regulation "animal" has the same meaning as is assigned to the expression "poundable animal" in the Pounds Ordinance, Ch. 25. No. 8.

19. It shall be the duty of the Keeper to keep the public burial ground under his charge clean and in proper order. If any such Keeper shall knowingly and wilfully allow any infringement of these Regulations, he shall be liable to a penalty not exceeding ten dollars.

20. The Chief Executive Officer shall submit quarterly statements to the County Council giving particulars of all matters dealt with by him or by the Keeper in terms of these regulations. The County Council may issue such instructions thereon as they deem necessary or desirable.

21. Any person having complaints about the administration of a public burial ground may make these in writing addressed to the Clerk of the County Council. The County Council or the appropriate Committee thereof shall consider the representation and the County Council shall give such instructions to the Chief Executive Officer as they think necessary or desirable.

22. The Public Burial Grounds Regulations are hereby revoked.

Made by the Governor this 6th day of October, 1953.

H. E. RANCE
Governor.

(M.P. L.G. 645/T2).

GOVERNMENT NOTICE No. 191

TRINIDAD AND TOBAGO

PROVIDENT FUND OFFICES—ADDITION

UNDER the provisions of section 13 (2) of the Provident Fund Ordinance, Ch. 9. No. 9, the Governor in Council hereby amends the First Schedule to the Ordinance by adding thereto the undermentioned office with effect from the 1st January, 1952.

<i>Department</i>	<i>Office</i>
Agriculture	Handyman

J. O'CONNOR
Clerk, Executive Council

26th November, 1953—(M.P. 63043/Pt. I)