

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 15 de 1968

JOINT REGULATION 15 of 1968

JOINT REGULATION

No. 15 of
1968.

Regulate interments in Vila and Santo.

[Published: Condominium Gazette No. 272.]

DE by the Resident Commissioners under the provisions of paragraph 2 of Article 2 and Article 7 of the Anglo-French Protocol 1914.

1. (1) In this Regulation the following expressions shall have meanings respectively assigned to them—

Interpreta-
tion.

“Condominium cemetery” means a cemetery maintained by the Joint Administration of the Condominium of the New Hebrides (hereinafter referred to as the “Joint Administration”).

“Graves” shall mean separate graves and common graves and trenches used for the purpose of communal interment.

“Lead-lined coffin” means a coffin comprising a sheet of zinc, lead or any other metal, sealed, but including a gas outlet and placed inside a second coffin of wood;

“Medical practitioner” means a Condominium Medical Officer appointed by Joint Decision of the Resident Commissioners or a medical practitioner licensed pursuant to Joint Regulation No. 12 of 1953;

“New Hebridean” means a person of the aboriginal races of the New Hebrides;

“Permit to Inter” means a permit granted under the provisions of Section 3 of this Regulation.

(2) The expression “grantee” shall include his heirs and assigns.

2. (1) Where any person witnesses a death or discovers any body of a deceased person he shall within twenty-four hours inform a person authorised under the provisions of Section 3 of this Regulation to grant Permits to Inter.

Declarations
of death.

(2) The said person shall immediately upon receipt of the said information if the informant is not a medical practitioner or has not produced to him a medical certificate in the form prescribed in Schedule 1 to this Regulation require a medical practitioner to ascertain the cause of death, who shall, upon ascertainment thereof, issue such a certificate.

3. (1) Permits to Inter shall be granted by the District Agent or in his absence the Commandant of Police of the nationality of the deceased on the receipt of a certificate signed by a medical practitioner.

Permits
to Inter.

Provided that in the case of New Hebrideans such permits may be granted by either District Agent or Commandant of Police, as the case may be.

(2) Without prejudice to the provisions of the immediately preceding sub-section of this section the Resident Commissioners may by Joint Decision authorise such other persons as they deem fit to grant permits to inter.

(3) Such permits shall be in the form prescribed in Schedule 2 to this Regulation and may contain such conditions as the person granting it deems fit.

4. (1) No person shall inter or cause or permit to be interred any body of a deceased person within the town limits of Vila or Luganville—

Prohibition on interment.

- (a) otherwise than in a Condominium cemetery;
- (b) without having been granted a permit to inter containing such conditions (if any) as may be prescribed under the provisions of sub-section (3) of the immediately preceding section of this Regulation.

(2) Notwithstanding the provisions of the immediately preceding sub-section of this section a person authorised to grant permits to inter under the provisions of Section 3 of this Regulation may, if he is satisfied that it is desirable so to do, grant a permit to inter in respect of a place other than a Condominium cemetery.

5. No person shall transport or cause or permit to be transported any body of a deceased person from Vila or Luganville to any place in such circumstances that the burial may take place more than twenty-four hours from the time of death other than in a leaded coffin.

Transport of bodies.

6. (1) Each separate grave shall be not less than 80 centimetres in width, 2 metres in length and 1.50 metres in depth.

Dimensions and placing of graves.

Provided that in the case of the interment of a child under the age of six months the grave shall be not less than 1 metre in length.

(2) Common graves and trenches shall be not less than 2 metres in length and 1.50 in depth and within such graves or trenches coffins shall be placed not less than 20 centimetres from one another.

(3) No grave shall be less than 75 centimetres at the sides or the head and foot from any other grave.

(4) Every grave after interment has taken place shall be filled with well pressed earth.

7. (1) The District Agents for the District in which the cemetery is situated may jointly, on the application of private individuals or families, grant a concession of land in a Condominium cemetery, subject to such conditions as they may prescribe, for the

Grant of concessions.

urpose of the establishment of private graves of, the nature and
ent, and on payment to them of the fees as prescribed in Part I
Schedule 3 to this Regulation.

(2) Notwithstanding the provisions of the immediately pre-
ding subsection of this section the Resident Commissioners may
Joint Decision grant free perpetual concessions 2.50 metres (side)
1.50 metres (frontage) in extent—

- (a) to legally constituted Associations of Ex-Servicemen who
may make application therefor in the name of their
members whose status as an Ex-Serviceman is established
in accordance with their Rules; and
- (b) in other cases following a joint recommendation by the
District Agents for the District in which the Condominium
cemetery is situated.

(3) The cost of the maintenance of such concessions shall be
borne by the grantee.

8. (1) Where a person is or his personal representatives are
unable or unwilling to purchase a concession in a Condominium
cemetery the body of the deceased person may be interred in a grave
in such a cemetery and shall be permitted to lie undisturbed therein
for a period of not less than five years.

Graves
where no
concession
is obtained.

Provided that after a period of one year from the date of
interment thereof his personal representatives may remove the said
body and provided further that the body may be removed within the
period of one year if it is placed in a leaded coffin.

(2) The cost of the maintenance of such graves shall be borne
by the Joint Administration.

9. Where the use of a Condominium cemetery is terminated
the grantee of a concession in the said cemetery shall be granted land
in any new cemetery in the manner provided for in Section 7 of this
Regulation equal in extent to and upon the same terms as the
original grant.

Termination
of use of
cemetery.

10. Successive interments in the same grave shall not be made
within periods of less than five years.

Succession
interments.

Provided that such interments may be made if the second
subsequent interment is at not less a depth than that prescribed in
subsection (1) of Section 6 of this Regulation.

11. Thirty-year or ten-year concessions may be renewed at the
conclusion of each thirty or ten year period, as the case may be, on
payment of the fee prescribed in Part II of Schedule 3 to this
Regulation.

Renewal of
concessions.

2. (1) In the event of the non-payment of the said fee the comprised in the said concession shall, after two years from date from which the said payment was due, revert to the Joint Administration.

Failure to renew.

Provided that during the said period of two years the grantee exercise his right of renewal in accordance with the provisions of the immediately preceding section of this Regulation.

(2) If no right of renewal is exercised under the provisions of this section the District Agents for the District in which the cemetery is situated shall jointly by notice in writing require the grantee to remove within the period prescribed in the said notice from the land in respect of which the concession was granted anything constructed on the said land.

(3) If within the period so prescribed the removal of the structures therein required to be removed is not effected the said structures shall become the property of the Joint Administration.

13. (1) Where a perpetual concession has been granted under the provisions of Section 7 of this Regulation the grantee may erect on the concession a vault.

Vaults.

(2) Where a vault has been erected under the provisions of the immediately preceding subsection of this Section successive interments may be made—

- (a) in the case of a family vault of members of the family; and
- (b) in the case of a vault erected on a concession granted to an Association of Ex-Servicemen under the provisions of subsection (2) of Section 7 of this Regulation of Members of the Association.

(3) No arch of any vault erected under the provisions of subsection (1) of this Section shall rise above ground level and the opening thereof shall be formed by a stone slab solidly fastened.

14. (1) No tombstone shall be erected in a Condominium Cemetery other than upon a concession.

Tombstones.

(2) Notwithstanding that a concession may have been granted for a tombstone shall be erected thereon without the approval of the Local Town Planning Commission who shall be supplied with a plan and details of the proposed tombstone, as to its design and the inscription thereon.

Provided that where no concession has been granted a memorial of an impermanent character may be installed.

15. Any person who acts in contravention of the provisions of this Regulation shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding Fifty pounds or its equivalent in francs at the current rate of exchange.

Penalties.

16. Notwithstanding the provisions of this Regulation any concession granted before its coming into operation shall continue on the same terms as those upon which it was granted. Transitional.

17. This Regulation may be cited as the Joint Control of Interment Regulation No. 15 of 1968 and shall come into operation on the date of its publication in the Condominium Gazette. Citation.

Dated at Vila this eighteenth day of November, 1968.

MOURADIAN

M. TOWNSEND

The Resident Commissioner for the French Republic.

Her Britannic Majesty's Resident Commissioner

SCHEDULE 1 (Section 2 (2))

Table with 8 columns: No., Date of death and where it occurred, Name and Occupation of deceased, Names of parents, Sex and place and date of birth (if known), Age, Address, Cause of Death.

Signed..... (Medical Practitioner)

SCHEDULE 2
(Section 3 (3))

CONDOMINIUM OF THE NEW HEBRIDES
PERMIT TO INTER

Joint Control of Interment Regulation No. 15 of 1968

.....having been authorised in that
behalf under Section 3 of the Joint Control of Interment Regulation No. 15
of 1968 and.....(name of informant) having
reported the death of.....and
..... having produced a Death
certificate hereby authorise the burial of the said.....
in the.....cemetery on concession (if any).....
..... at on the
day of.....subject to the following conditions (if
any).

.....
(Signature)

.....on the.....day of.....

SCHEDULE 3

Part 1

CONCESSIONS
(Section 7 (1))

Nature of concession	Extent of Land	Fee payable
Perpetual	2.50 (side) by 1.50 m (frontage)	\$A 43.50 (4,350 FNH)
Thirty years	"	\$A 23.50 (2,350 FNH)
Ten years	"	\$A 13.50 (1,350 FNH)
Ten years	1.50 m (side) by 1 m (frontage)	\$A 4.00 (400 FNH)
Perpetual	In excess of 2.50 m (side) by 1.50 m (frontage)	\$A 20.00 (2,000 FNH) for each additional square metre.

Part II

RENEWAL OF CONCESSIONS
(Section 11)

payable on renewal of thirty-year concession	..	\$A 20.00 (2,000 FNH)
payable on renewal of ten-year concession	..	\$A 10.00 (1,000 FNH)