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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF MILITARY VETERANS

NO. 6310 **13 June 2025**

MILITARY VETERANS ACT, 2011
(ACT NO. 18 OF 2011)

PUBLICATION OF DRAFT MILITARY VETERANS BURIAL SUPPORT REGULATIONS FOR PUBLIC COMMENT

In accordance with section 24 of the Military Veterans Act, 2011 (the Act), the draft Military Veterans Burial Regulations, 2025 (the draft Regulations), in the Schedule are published for public comment. These Regulations are intended to be made by the Minister of Defence and Military Veterans in terms of section 24, read with section 5(1)(k) and the definition of "prescribed" in section 1, of the Act.

Interested persons or organizations are hereby invited to submit written comments on the draft regulations within 30 calendar days from the date of publication. Comments must be forwarded for the attention of Director: Legal Services

MS A MOTSHEKGA
MINISTER OF DEFENCE AND MILITARY VETERANS
DATE: 06 · 05 · 2025

SCHEDULE

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1. Definitions

In these Regulations any word or expression to which the meaning has been assigned in Act, shall have such meaning, unless the context indicates otherwise –

"Burial support" means the internment of human remain of persons when they die to the ground or cremation and reburials, this includes also the erection of a tombstone;

"Certified Personnel Register" is a list of former armed forces from Umkhonto WeSizwe, Azanian People's Liberation Army and South African Defence Force;

"Identity document" means the identity document or card referred to in the Identification Act, 1997 (Act No. 68 of 1997);

"Means test" means the evaluation of the income and assets of the person applying to determine whether the person's means are below a stipulated amount. This Means Test is a way of determining whether a person qualifies to receive the pension as the pension is indeed meant for those who have insufficient means to support themselves.

"National military veterans data base" means the official computerized information system established and maintained by the Department containing the names and personal information of military veterans and their dependents;

"the Act" means Military Veterans Act, 2011 (Act No. 18 of 2111).

2. Objectives

The objective of these Regulations is to provide a Burial support to military veterans in terms of section 5 (k) of the Act.

3. Criteria to qualify for burial support

(1) A military veteran qualifies for burial support at the expense of the State if he or she, at the time of his or her death:-

(a) Is a military veteran who is registered in the National Military Veterans Database

(b) Must be a military veteran who was a recipient of the pension upon his/her death in terms of the Special Pensions Act 69 of 1996.

(c) Has a force number or prison number and confirmed by their association or other government documentation should benefit.

(2) In case where the Military Veterans dies without verification or completed database registration, the Database Policy will prevail.

(3) Confirmation by association should be acceptable, if the deceased is a former non-statutory force member.

4. Burial support

(1) The amount for burial support payable to a military veteran is subject to sub-regulation 4(2) below. This is subject to an increase each year in order to align with the CPI index.

(2) If any one or more amounts are payable for burial support to a military veteran in terms of any other legislation, the amount payable to that military veteran in terms of sub-regulation 4(1) may together with amount or amounts so payable under other legislation not exceed the amount prescribed in the Burial Policy.

(3) The Minister may in consultation with the Minister of Finance, by notice in the Gazette annually increase the amount of the burial support benefit in sub-regulation 4(1) and 4(2).

5. Reimbursement of burial costs

(1) The Department may, on application in accordance with regulation 5, but subject to regulation 7(7) and regulation 7(8), reimburse any person who incurred costs in respect of the burial of a military veteran.

(2) In cases where the Department cannot pay upfront for burial costs prescribed complete documentation should be provided so that a commitment letter will be issued to the family's chosen service provider.

(3) A person who applies to the Department for the reimbursement of burial costs must submit written proof to the Department of the actual burial costs incurred by him or her.

6. Death of a Military Veteran

(1) The Military Veteran's next of kin must, when a Military Veteran passes away –

(a) Notify the Department of Military Veterans burial support office within 7 days;

(b) Submit all the necessary documentation, as described in regulation 7(1), 7(2) and 7(8) that proves that the deceased was a military veteran; and

(c) Notify the Department of Military Veterans of any of the dependents of the Military Veteran, if any.

7. Procedure for application for military veteran's burial support

(1) An application for any section 5 benefit made in terms of the Act and these Regulations must be lodged by submitting an appropriate compatible electronic completed form contained in Annexure X, or a completed form contained in Annexure Y, together with the prescribed Annexures in compatible electronic format with the Department or to the Provincial Coordinator in the province to which the applicant resides, as the case may be—

(a) by hand;

(b) registered post; or

(c) electronically on the Department's official website address or the relevant address specified in the appropriate form.

(2) An application contemplated in sub-regulation 7(1), must be accompanied amongst others, by —

(a) a copy of the Identity document of the military veteran and, where applicable, the identity document of his or her spouse;
(b) proof of the spousal relationship status; and
(c) the copy of the unabridged birth certificates of the dependents of the military veteran, or court-issued document as evidence of guardianship, where applicable.

(3) On receipt of an application made in terms of sub-regulation 7(1), The Department must furnish the military veteran or his or her representative with an acknowledgment of receipt, which must:
(a) be dated and stamped with the official stamp of the Department;
(b) reflect the name and identity number of the military veteran; and
(c) reflect the names of the designated officials.

(4) The Department must keep a register of all applications received manually or electronically, which register must record in respect of each application:
(a) the identifying particulars of the military veteran;
(b) the date of the application; and
(c) the type of benefit applied for.

(5) All application forms, be it manual or electronic, must be available at the offices of the Department or any other place designated by the Department.

(6) If the applicant does not qualify for the benefit in terms of the Act, or these Regulations, the Department must inform the applicant within 30 days, in writing at the applicant's address or other point of contact stated in the application:
(a) that he or she does not qualify for benefit in terms of the Act, or this Regulation;
(b) the reasons why he or she does not qualify; and
(c) of his or her right of reconsideration of the application and appeal application, as contemplated in sub-regulation 9(6); 9(7);9(8), and 9(10) and of the mechanism and procedure to invoke such rights.

(7) In cases where a military veteran has been deceased for a period of more than a year, only tombstone benefit will be applicable.

(8) If the Department cannot make burial payments timeously, the following documents, must be provided, in order for the Department to issue a commitment letter to the family's chosen service provider that will render the burial support services:

(a) Completed documents provided by the DMV burial support office (application to access benefits form, and data base notification of death).
(b) Clear certified copy of the deceased's ID.
(c) Force number or successful applicants who appeared before the verification process with recommended letters for inclusion into the DMV database.
(d) Death certificate.
(e) Certified marriage certificate or proof of customary marriage.
(f) Burial order, doctor's report and notice of death (BI1663).
(g) Written proof that military veteran was unemployed or employed and whose annual income fall below or earning less than R101 640 (single) and R203 280 (married) a year, whose assets do not exceed R1 43 800 (single) and R2 877 600 (married). These figures will be updated annually before the beginning of the financial year after consultation with the Minister of Finance.
(h) Clear certified ID copy of claiming beneficiary.
(i) Three affidavits and certified ID copies of three family members permitting beneficiary to claim funeral benefits if a veteran is not married.
(j) Beneficiary to write an affidavit taking full responsibility for burial support claim.
(k) Bank statement of beneficiary.
(l) Proof of residence.
(m) Contact number of the beneficiary.
(n) Invoice for burial cost.
(o) Families to apply for the registration of deceased military veterans who are not registered on the DMV National Data Base

(9) The burial support claim application must be submitted within 12 months after the death of the military veteran, where reimbursement costs are to be claimed.

(10) Notwithstanding regulation 3(1), the Department may, after considering evidence from either the demobilisation records, the certified personnel register or service certificates provided by a military veteran's relevant recognised association, provide burial support for the military veteran who was not listed in the national military veteran's database at the time of his or her death provided it is proven by documentary evidence that he or she would have qualified to be listed in that database had he or she registered before his or her death.

8. Procedure for application for a tombstone

(1) In cases where a military veteran has been passed on for more than a year, only a tombstone benefit will apply.

(2) Tombstone claims of those who passed away outside the country will be assessed on its own merits.

(3) Exhumation cases will qualify for double payments, in the country of origin and country of destination.

(4) Cases of vandalised tombstones will be assessed on its own merits.

(5) The Department issues a letter of commitment to the family appointed service provider to construct the tombstone.

(6) Payment is done after service is rendered all documents submitted.

(7) Reimbursement will only be allowed if the family paid for the tombstone and was erected before the funeral or after. For reimbursement an invoice and proof of payment (bank statement and paid receipt from the service provider, and a full picture of tombstone (already erected on the grave) is required.

(8) The invoice and proof of payment copies will be accepted.

(9) An application contemplated must be accompanied amongst others, by —

(a) Clear certified copy of the deceased's ID.

(b) Death certificate.

(c) Clear certified ID copy of claiming beneficiary.

(d) Certified copy of the invoice for the tombstone with the name of the deceased and banking details of the service provider.

(e) A full picture of the tombstone erected at the graveyard.

(f) MAAA number for CSD report,

(g) Banking on CSD report needs to be verified and succeeded on CSD.

(h) SARS-Tax status needs to be compliant.

9. Appeals

(1) Any person who appeals in terms of section 20 of the Act against an administrative decision, must within 30 days after he or she has become aware of the or should reasonably become aware of the administrative decision concerned, lodge a written notice of appeal with the Appeal Board Secretariat.;

(2) The notice of appeal must state clearly—

(a) the actions appealed against;

(b) the grounds on which the appeal is based; and

(c) any other information deemed necessary.

(3) After receipt of the notice of appeal, Appeal Board Secretariat, must—

(a) dispatch copies thereof to—

(i) the person responsible for the administrative decision concerned;

(ii) any other person, whose rights may, in the opinion of the Appeal Board Secretariat, be affected by the outcome of the appeal; and

(b) request the persons contemplated in paragraph (a) to respond as provided for in sub-regulations 9(6) and 9(7).

(4) A person contemplated in sub-regulation 3 (a)(i) must, within 21 days from receipt of the notice of appeal, submit to the Appeal Board Secretariat, written reasons for the administrative decision appealed against.

(5) A person contemplated in sub-regulation 3(b)(ii) must within 21 days from receipt of the notice of appeal, submit to the Appeal Board Secretariat, a replying submission indicating—

(a) the extent and nature of his or her rights;

(b) how the outcome of the appeal may affect his or her rights; and

(c) any other information pertaining to the grounds as set out in the notice of appeal.

(6) The Appeal contemplated in sub-regulation 9(1) must be lodged by submitting an appropriate compatible electronic completed form contained in Annexure X, together with the prescribed Annexures in compatible electronic format with the Appeal Board Secretariat —

(a) by hand;

(b) registered post; or

(c) electronically on the Department's official website address or the relevant address specified in the appropriate form.

(7) The form contained in Annexure X must be accompanied by the following document:

(a) the copy of the application;

(b) the copy of the rejection letter to the initial application;

(c) the copy of the reconsideration application;

(d) the rejection letter to the reconsideration application; and

(e) any other information deemed necessary.

(8) The Appeal Application must be on the same facts and evidence provided to the Department, failing which, the Appeal Board must dismiss the application or advice the applicant to re-apply.

(9) Whenever a military veteran or dependent notes an appeal, the Appeal Board must:

(a) advise the administrative decision maker about the noting of an Appeal;

(b) request the administrative decision maker for the contents of the file pertaining to the military veteran or dependent;

(c) Decision and reasons for the decision made; and

(d) Any other relevant information.

(10) The Appeal Board must give the Department 14 days' notice to attend the hearing of the Appeal, which is 14 days.

(11) When considering an appeal, the Military Veterans Appeal Board must ensure that, if necessary, the Department is allowed to rebut any evidence given or information provided to the Military Veterans Appeal Board;

10.Short title and commencement

These Regulations are called the Regulations for the implementation of the Burial Support, 2025.

military veterans

Department:
Military Veterans
REPUBLIC OF SOUTH AFRICA

ANNEXURE A: BURIAL SUPPORT BENEFIT COST THRESHOLDS

Ser No	Item	Threshold
1.	Burial Support (Excl tombstone)	R40 000
2.	Tombstone	R22 700

*** The amounts listed above are subject to satisfying the relevant sections of the regulations

military veterans

Department:
Military Veterans
REPUBLIC OF SOUTH AFRICA

SUBMISSION OF INPUTS FOR DEPARTMENT OF MILITARY VETERANS' BURIAL SUPPORT REGULATIONS

Enquiries and/or inputs can be submitted using the following platforms:-

Attention:- Legal Services

Address:

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