

Can residents conduct sacrificial slaughters in a sectional title scheme?

By [Corlia van Zyl](#)

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"A neighbour in my sectional title unit is very traditional and has been hinting that he wants to hold a sacrificial slaughter at his home as an offering to his ancestral spirits. Although I have no objection to this, I am concerned as to whether this is allowed in a sectional title scheme as I think that there may be objections from other owners in the complex if he continues. Can he do this on his property in the complex?"



Image source: Andreas Schnabl from [Pexels](#)

This is a complex question and has also been the topic of some intense debate between animal anti-cruelty activists and traditional groups for which animal slaughter forms a part of their culture and is seen as essential to their identity.

The South African Bill of Rights guarantees the right to freedom of religion. Included in this right has been recognised the right to slaughter animals as part of a religious ritual, with the Commission on the Rights of Culture and Religion confirming that communities may continue to slaughter animals as a religious and cultural practice, but under the guidelines of African ritual animal slaughter and that care be taken to consider the rights of other people who might be sensitive to the practice.

Following this statement by the Commission on the Rights of Culture and Religion, most municipalities in South Africa proceeded to make provision for slaughtering in their by-laws, as well as the procedures that must be followed in obtaining consent to have a religious slaughter ritual in an urban area as well as how the remains of the animal after the ritual takes place, must be disposed of.

The question now is, whether such ritual slaughters can happen in sectional title schemes where people live in close proximity to each other and whether this can be allowed or forbidden by body corporates.

In terms of the Prescribed Management Rules of a sectional title scheme, sectional title schemes are subject to all national and local legislation and by-laws.

A body corporate can therefore not ban the use of ritual slaughters within the scheme, as it is a Constitutional right, but they may change the rules of the scheme to provide for certain conditions that must be met before the ritual may take place within the scheme. These include but are not limited to:

- Prior notice to be given to the Trustees of the date and time of the slaughter as well as the type of the animal and the type of ritual to take place.
- Proof that the owner obtained prior consent from the local municipality in terms of its by-laws.
- Notice from the Health Department that the necessary hygiene will be followed during the slaughter of the animal as well as afterwards.
- Notice to all adjacent units of the date and time of the slaughter.

These changes to the rules will have to be approved by all owners and submitted to the Community Schemes Ombud for approval before it may be implemented in the scheme and who will have to ensure that the new rules comply with the law and are not discriminatory to any of the other owners in the scheme.

It would therefore be advisable for your neighbour to approach your body corporate to ascertain if there are any such rules in place for sacrificial slaughter and if necessary, request such rules to be put in place before just continuing with the ritual.

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