

# APPLICATION FOR TRANSFER OF INTERMENT RIGHT



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*Cemeteries:*

Type of Interment Right: \_\_\_\_\_

Site Location: \_\_\_\_\_

Currently in the Name(s) of: \_\_\_\_\_

Please select and complete all details for either A. (current Interment Right Holder/s) or B. (authorised person) below and sign in front of a JP on page 2.

A. I, the current registered interment right holder, do solemnly and sincerely declare that:

I, (full name) \_\_\_\_\_ (date of birth) \_\_\_\_\_

of (address) \_\_\_\_\_

(telephone) \_\_\_\_\_ (mobile) \_\_\_\_\_

(email) \_\_\_\_\_

(And) I, (full Name) \_\_\_\_\_ (date of birth) \_\_\_\_\_

(address) \_\_\_\_\_

(telephone) \_\_\_\_\_ (mobile) \_\_\_\_\_

(email) \_\_\_\_\_

Do hereby authorise the transfer of my rights, title and interest in this interment right.  
OR

B. I, the authorised person, do solemnly and sincerely declare that:

I, (full name) \_\_\_\_\_ (date of birth) \_\_\_\_\_

of (address) \_\_\_\_\_

(telephone) \_\_\_\_\_ (mobile) \_\_\_\_\_

(email) \_\_\_\_\_

Being a person having the right to exercise a power of Attorney for the interment right holder. (Please attach a copy of the Power of Attorney), OR

Being a person entitled to exercise the rights granted to the interment right holder upon the interment right holders death, and being the **highest ranking person** of entitlement in relation to the deceased interment right holder, and having provided proof of my identity. (Council has the right to determine the criteria to determine the relationship and entitlement of any person claiming a substitute right)

Do hereby request that the interment right be transferred to the new interment right holder as detailed below.

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I, the CURRENT INTERMENT RIGHT HOLDER/S or AUTHORISED PERSON, understand that the said interment right (*Interment Right Number:\_\_\_\_\_*) is unencumbered and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1936*.

Signed: \_\_\_\_\_ (interment right holder or authorised person)

Signed: \_\_\_\_\_ (interment right holder 2)

### **This section must be signed in front of a Justice of the Peace or Commissioner of Affidavits**

Declare and subscribed at \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ year \_\_\_\_\_

Before me (full name) \_\_\_\_\_

\_\_\_\_\_

(signed – Justice of the Peace/Commissioner for Affidavits)

### **NEW INTERMENT RIGHT HOLDER (1 only – please insert full details)**

Title:  Dr  Mr  Ms  Mrs  Miss

Full name: \_\_\_\_\_

Of \_\_\_\_\_

Suburb: \_\_\_\_\_ State \_\_\_\_\_ Postcode \_\_\_\_\_

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

**hereby accept the transfer of the above interment right to my name.**

### **NEW INTERMENT RIGHT HOLDER TO SIGN (not in front of JP)**

I, \_\_\_\_\_

(Full name of new interment right holder)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## **Authority to exercise the interment right**

- Only the interment right holder may exercise an interment right, provided that if the interment right holder is deceased the interment right may be exercised by the person representative of the deceased interment right holder (by definition the Executor or Administrator of the Deceased Estate) in accordance with section 35 of the *Burial and Cremation Act 2013*.
- If there is no personal representative the interment right may be exercised in accordance with regulation 32 of the *Burial and Cremation Regulations 2014* as follows:
  - \*by the spouse or domestic partner of the deceased interment right holder
  - \*if there is no surviving spouse or domestic partner – by the eldest living relative of the deceased interment right holder in the following descending order of priority:
    - A child,
    - A grandchild, or great grandchild
    - A brother or sister
    - A parent
    - A grandparent
    - An aunt or uncle
    - A nephew or niece
    - A cousin
    - Any other blood relative