



CLARE & GILBERT
VALLEYS COUNCIL

APPLICATION FOR THE TRANSFER OF CEMETERY INTERMENT RIGHT

IMPORTANT

Please complete all details for either

SECTION A (current interment right holder/s)

OR

SECTION B (authorised person*)**

AND

SECTION C is to be signed before a Justice of the Peace (JP)

Cemetery Name:	
Plot Details:	
Interment Right Number:	
Current Interment Right Holder Name	

SECTION A

I/We, the **CURRENT REGISTERED INTERMENT RIGHT HOLDER/S**, do solemnly and sincerely declare that:-

I, (Full name)_____ (Date of birth)_____

of (Address)_____

(Telephone)_____ (Mobile)_____

(Email) _____

(And) I, (Full Name)_____ (Date of birth)_____

of (Address)_____

(Telephone)_____ (Mobile)_____

(Email) _____

do hereby authorise the transfer of my/our rights, title and interest in this interment

SECTION B

I, the **AUTHORISED PERSON**, do solemnly and sincerely declare that:

I, (Full name) _____ (Date of Birth) _____

of (Address) _____

(Telephone) _____ (Mobile) _____

(Email) _____

Upon the death or legal incapacity of the interment right holder(s), one of the following persons, as defined as the personal representative in the S.A. Burial and Cremation Act 2013, is entitled to exercise the rights granted to the interment right holder. (see page 4)

OR

Being a person entitled to exercise the rights granted to the interment right holder upon the interment right holder's 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 substituted right) **do hereby request the interment right to be transferred to the new interment right holder as detailed below.**

SECTION C must be signed in front of Justice of the Peace or Commissioner of Affidavits

SECTION C

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

Signed: _____ (interment right holder or authorised person)

Signed _____ (interment right holder 2 – if applicable)

Declared and subscribed at _____

this _____ day of _____ Year _____

Before me (Full name) _____

A Justice of the Peace or Commissioner for Affidavits.

(Signed JP/Commissioner) _____

NEW INTERMENT RIGHT HOLDER DETAILS

(One Name ONLY – PLEASE INSERT FULL DETAILS)

I, (Mr/Mrs/Ms/Miss)

Full Name: _____

of: _____

Suburb: _____ State: _____ Post Code _____

POSTAL Address (if different to above) _____

Date of Birth: _____

Telephone (Work) _____ (Home) _____

Mobile: _____

Email: _____

hereby accept the transfer of Interment Right Number _____ to my name.

Signed: _____ **Date** _____

Information for completing this form:

Order of Entitlement

- (a) The registered interment right holder – the name which appears on the existing, current interment right has exclusive rights to exercise a transfer. If held in joint names, the transfer must be approved by all interment right holders. In the case where a joint interment right holder passes away, the entitlements to the interment right pass to the remaining interment right holder(s).
- (b) Upon the death or legal incapacity of the interment right holder(s), one of the following persons, as defined as the personal representative in the S.A. Burial and Cremation Act 2013, is entitled to exercise the rights granted to the interment right holder.
- The Executor of the interment right holder – one person solely responsible for conducting the affairs of the deceased or legally incapacitated registered interment right holder.
 - A joint Executor, with written permission from all other executors, of the interment right holder.
 - The administrator of the estate of the deceased interment right holder.

Clare & Gilbert Valleys Council will require certified copy of relevant authorising documents to be provided i.e., Will & Testament or Power of Attorney;

If there is no personal representative, one of the following persons entitled to exercise the rights granted to the interment right holder upon their death or legal incapacity, as defined in the Burial and Cremation Regulations 2014, then the surviving spouse or surviving domestic partner (as defined in the Family Relationships Act 1975).

If there is no surviving spouse or domestic partner, the eldest living and legally capable relative of the deceased interment right holder in the following descending order of priority;

- A child of the interment right holder;
- 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.