

**BURIAL AND MEMORIAL SITES INTERMENT RIGHTS & RESPONSIBILITIES**

**DCSB 16 Form 07  
Property Mangement**

The following Plain English Statement is required by law (**Burial and Cremation Act 2013**).  
It is an important document. Please keep it with the original interment right.

This statement describes the terms and conditions for buying grave and memorial (ashes site) rights at the cemetery noted below. This form must be completed and a signed copy of this document must be received by the Council before a grave or memorial can be used.

**NAME OF THE INTERMENT RIGHT HOLDER(S)** - Up to two people may be named as the Interment Right Holders:

1..... 2.....

Address..... Address.....

The person/people named above has/have the sole right (interment right) to decide and advise the Council about who may be buried, have ashes placed or be memorialised in the following site.

NAME OF CEMETERY: .....

Interment Right  Burial Plot  Columbarium

Please tick selection:

- I/We will accept the next available grave or memorial position in our preferred section.
- I/We or our funeral director will contact the Council to select a grave or memorial position. PLOT NO. ....

The path and site number will be confirmed by the Council on the interment right.

An interment right will be issued for this site. The interment right does not mean that the buyer owns the land.

The cost of the interment right is \$..... (incl. GST) The interment right is issued for.....years.

The interment right starts on (date): ...../...../..... The interment right expires on (date): ...../...../.....

- The interment right will be issued to the Interment Right Holder(s) by the Council after payment of the relevant fees.
- The interment right may be sent via your funeral director who will pass it on to the interment right holder.
- The interment right cost does not cover other services such as grave digging, burial, chapel, funeral director, headstone or memorial expenses.
- Burial and memorial interment rights are subject to the conditions noted in this statement, the Council's Operating Policy and any cemetery rules or laws in force during the term of the interment right.
- Please note that the Council's Operating Policy, interment right conditions, policies and rules may change over time.
- Updated versions of the Council's Operating Policy are available from the Council or on their website.

I have read and understand the **interment right conditions on the reverse of this page.**

NAME IN FULL (1):  
.....  
SIGNATURE: .....  
(date): ...../...../.....

NAME IN FULL (2):  
.....  
SIGNATURE: .....  
(date): ...../...../.....

WITNESS NAME IN FULL: .....

SIGNATURE: ..... (date): ...../...../.....

## INTERMENT RIGHT CONDITIONS

The following points are part of the Interment Right Conditions.

1. An interment right may only be cancelled or transferred as per the Council's **Operating Policy**.
2. An interment right may be renewed, transferred, extended or cancelled upon application to the Council, in accordance with the Council's **Operating Policy**.
3. The rights granted to the interment right holder may be exercised upon the death or legal incapacity of the Interment Right Holder by any one of the following people in descending order of entitlement:
  - 1) Executor/s or administrator of estate
  - 2) The spouse or domestic partner
  - 3) The eldest living child
  - 4) The eldest living grandchild or great-grandchild
  - 5) The eldest living brother or sister
  - 6) The eldest living parent
  - 7) The eldest living grandparent
  - 8) The eldest living aunt or uncle
  - 9) The eldest living nephew or niece
  - 10) The eldest living cousin
  - 11) The eldest living blood relative
4. If an interment right is held by more than 1 person, it may be exercised or enforced jointly or severally as defined in Section 35(2) of the Burial and Cremation Act 2013.
5. An interment right may be extended by anyone anytime in accordance with the Council's Operating Policy or any rules the Council has force from time to time.
6. The interment right holder is responsible for maintaining headstones and memorials in a safe and proper condition. This is not the Council's responsibility. Under the Burial and Cremation Act 2013 the Council has the power to require repair, removal, or reinstatement of an unsafe memorial by the owner of the memorial.
7. Under the Burial and Cremation Act 2013 if it has been two years or more since the interment right for a site has expired, the Council may dispose of unclaimed headstones or memorials. Before disposing of a monument, the Council will attempt to contact the interment right holder for the site.
8. At the end of the interment right period, if the interment right is not renewed or extended, the Council may reuse the grave or memorial site in accordance with the Burial and Cremation Act 2013.
9. Cemeteries have specific requirements regarding the design of headstones and memorials which will require authorisation prior to installation. Some cemeteries are listed on the State Heritage Register and require headstones and monuments and alteration work to be approved by an appointed Heritage Advisor. This approval process will take time.

**Please let the Council know if you change your address or contact detail**

### For Office Use Only

Grave location Section .....	Row/Path.....	No: .....
Invoice Required	Y      No	Signature
Receipt Number	.....	
Uploaded to Website	Y      No	Date: .....