

TRANSFER OF INTERMENT RIGHT HOLDER 2022-23

Page 1

Site Number	
Current Interment Right Holder	
Name _____	
Address _____	
Phone _____	Email _____
Signature (if applicable) _____	Date _____
Notes Regarding Transfer of Interment Right	
<p>There are numerous circumstances in which a Transfer of Interment Right can occur. Please complete page 1 + the page relevant to your situation + pages 7 & 8. The reasons surrounding the transfer will affect the type of supporting documentation that is required. Refer page 6 for documentation required.</p> <p>Where an interment right holder is still alive and in sound health, the fee to transfer the interment right is \$110. If the transfer is due to death or ill health of the current interment right holder, there is no fee.</p> <p>When transferring an interment right, it is a legislative requirement to follow a hierarchy of who has the right to take over the interment right. The connection we must establish is between the person applying for the transfer and their connection to person currently named as the interment right holder ie not the deceased person(s) in the site.</p> <p>The hierarchy is as follows – please circle what is appropriate to your request:</p> <ol style="list-style-type: none"> 1. The sole executor or administrator of the interment right holder 2. A joint executor or administrator (with the permission of all others) of the interment right holder 3. The spouse of the interment right holder (including a putative or common law spouse) 4. The eldest living and legally capable child of the interment right holder 5. The eldest living and legally capable grandchild of the interment right holder 6. The eldest living and legally capable sibling of the interment right holder 7. The eldest living and legally capable blood relative of the interment right holder 	
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Payment methods: Cash, cheque or credit card in person at 34 Church Street, Salisbury
 Cheque posted to PO Box 8, Salisbury, SA, 5108
 Credit card over the phone call 8406 8222
 Cheques payable to City of Salisbury

All fees include GST

Transfer Declaration – Option 1 – Executor / Joint Executors

As Executor / Joint Executor of the current Interment Right Holder listed on page 1, I / we, apply for the transfer of Interment Right for Site _____ at Salisbury Memorial Park.

I / We request the Interment Right be transferred into my / our names *:

* If Joint Executors agree to the interment right being transferred to one Executor only a separate statement showing this agreement must be attached.

Interment Right Holder # 1

Name _____
Address _____
Phone _____
Email _____
Relationship to _____
Original Interment Right Holder _____
Signature _____
Date _____
Witness Signature _____

Interment Right Holder #2 if applicable

Name _____
Address _____
Phone _____
Email _____
Relationship to _____
Original Interment Right Holder _____
Signature _____
Date _____
Witness Name _____

OR I / We agree to transfer the interment right to the third party nominated below. I / we understand that if I / we nominate a third party, I /we relinquish any rights or responsibilities for the interment right.

Name(s) of Executor(s): _____

Address of Executor(s) _____

Phone _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Interment Right Holder to be transferred into the name of:

Name _____

Address _____

Phone _____ Email _____

Relationship to Original Interment Right Holder _____

Signature (of new interment right holder) _____ Date _____

Witness Signature _____ Witness Name _____

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Transfer Declaration - Option 2 – Next of Kin (no Will or Will no longer accessible)

As Next of Kin of the current interment right holder listed on page 1, I declare (circle appropriate):
they had no Will at the time of their death / the Will is no longer accessible
and I apply for the transfer of interment right for Site _____ at Salisbury Memorial Park.

I request the interment right be transferred into my / our names:

Interment Right Holder # 1

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____
Witness Signature _____

Interment Right Holder #2 if applicable

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____
Witness Name _____

OR I agree to transfer the interment right to the third party nominated below. I understand that if I nominate a third party, I relinquish any rights or responsibilities for the right of burial.

Name: _____
Address: _____
Phone _____
Name _____ Signature _____ Date _____

Interment Right Holder to be transferred into the name of:

Name _____
Address _____
Phone _____ Email _____
Relationship to Original Interment Right Holder _____
Signature (of new interment right holder) _____ Date _____
Witness Signature _____ Witness Name _____

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Transfer Declaration – Option 3 – Acting Under Power of Attorney

With regard to Site _____ at Salisbury Memorial Park, I declare I am acting under Power of Attorney for the current right interment right holder listed on page 1 as they are incapacitated and currently in the care of:

Name of Provider _____
Address of Provider _____
Phone _____

I request the interment right be transferred into my / our name(s):

Interment Right Holder # 1

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

Interment Right Holder #2 if applicable

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

Witness Signature

Witness Name

Date

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Transfer Declaration – Option 4 – Transfer From Living Interment Right Holder to Another Party

With regard to Site _____ at Salisbury Memorial Park, I /we agree to transfer the interment right to the person(s) nominated below. I understand that by transferring the Interment Right, I relinquish any rights or responsibilities for the interment right.

I / we request the Interment Right be transferred into the name(s) shown below:

Existing Interment Right Holder # 1

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

Existing Interment Right Holder #2 if applicable

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

Witness Signature

Witness Name

New Interment Right Holder #1

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

New Interment Right Holder #2 (if applicable)

Name _____
Address _____
Phone _____
Email _____
Relationship to
Original Interment Right Holder _____
Signature _____
Date _____

Witness Signature

Witness Name

Payment

Transfer fee _____ CMLT \$ 110
Receipt Number _____ Date _____

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Notes / Supporting Documentation Required

Transfer Declaration – Option 1 – Executor / Joint Executor

- Proof of death of currently listed interment right holder is required; for example death certificate, funeral notice/card, details of cemetery location (unless this is accompanying an inurnment of ashes request)
- Copy of the page of the Will stating name(s) of Executor(s) + copy of identification
- In addition to the above, if Joint Executors and only one Executor is taking over the interment right + signed notification from the second Executor stating their agreement + copy of their identification.
- If transferring to a third party; identification of third party also required.

Transfer Declaration - Option 2 – Next of Kin (no Will or Will no longer accessible)

- Proof of death of currently listed interment right holder is required; for example death certificate, funeral notice/card, details of cemetery location (unless this is accompanying an inurnment of ashes request)
- Declaration stating no Will or Will is no longer accessible + documentation to prove relationship to deceased interment right holder such as marriage certificate or birth certificate (eg proof of mother / child relationship) and if any name changes have occurred since birth (ie due to marriage) copy of marriage certificate.
- If transferring to a child who is not the eldest, living and legally capable; proof of death of older sibling(s) is required or if older siblings are non-contactable a statutory declaration must be signed.
- If transferring to a third party; identification of third party also required.

Transfer Declaration – Option 3 – Acting Under Power of Attorney

- Copy of Power of Attorney + identification + confirmation of incapacitation of existing interment right holder

Transfer Declaration – Option 4 – Living Right of Burial Holder to Another Party

- Copy of identification of both existing interment right holder(s) and the new interment right holder(s)

In all instances, the new interment right holder(s) are to sign Burial and Memorial Sites Interment Rights and Responsibilities form.

In all instances **certified** copies are required, unless the original document(s) are presented to council staff in which case they will take photocopies.

Return Paperwork To

Cemetery Assistant:
34 Church Street, Salisbury or
PO Box 8, Salisbury, SA, 5108 or
cemetery@salisbury.sa.gov.au

Office Use Only

CemeteryData Entered ☐ DataWorks No: _____

Certificate -Date Posted _____

DataWorks No: _____ Noted ☐

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BURIAL AND MEMORIAL SITES
INTERMENT RIGHTS & RESPONSIBILITIES

The following Plain English Statement is required by law (*Local Government Cemetery Regulations 2010*). 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 cemetery 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)*

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

Salisbury Memorial Park

Name of Cemetery

Section (ie., Catholic, Orthodox, General).

The path & site number will be confirmed by the cemetery 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.

Not Applicable
Transfer of Interment Right occurring

The interment right starts on The interment right expires on
(Date) (Date)

The interment right will be issued to the Interment Right Holder(s) by the cemetery 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 rights are subject to the conditions noted in this statement, the cemetery's Operating Policy and any cemetery rules or laws in force during the term of the interment right.

Please note that the cemetery's *Operating Policy*, interment right conditions, policies and rules may change over time. Updated versions of the cemetery's *Operating Policy* are available from the cemetery or on their website.

Please turn over

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INTERMENT RIGHT CONDITIONS

The following points are part of the Interment Right Conditions.

1. Options for periodic payments (cash, credit card, and lay-by options) may be available for the purchase of a burial or memorial licence. Please check with the cemetery.
2. An interment right may **only** be cancelled or transferred as per the cemetery's *Operating Policy*.
3. An interment right may be renewed, transferred, extended or cancelled upon application to the cemetery, in accordance with the cemetery's *Operating Policy*.
4. 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:
 - 1st. the executor or administrator of the interment right holder
 - 2nd. a joint executor or administrator (with permission from all others) of the interment right holder
 - 3rd. the legally married spouse of the interment right holder
 - 4th. the domestic partner of the interment right holder
 - 5th. the eldest living and legally capable child of the interment right holder
 - 6th. the eldest living and legally capable grandchild of the interment right holder
 - 7th. the eldest living and legally capable sibling of the interment right holder
 - 8th. the eldest living and legally capable blood relative of the interment right holder
5. A interment right may be extended by anyone anytime in accordance with the cemetery's *Operating Policy* or any rules the cemetery in 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 cemetery's responsibility.
7. Under the *Cemetery Regulations 2010*, if it has been two years or more since the interment right for a site has expired, the cemetery may dispose of unclaimed headstones or memorials. **Before disposing of a monument, the cemetery 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 cemetery may reuse the grave or memorial site.
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 cemetery know if you change your address or contact details.

I have read & understand this form.

Signature _____

Signature _____

Name in full _____

Name in full _____

Date / /2021

Date / /2021

Witness Signature

Name In Full

Date

END OF STATEMENT

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