

## BURIAL AND MEMORIAL SITES

### INTERMENT RIGHTS & RESPONSIBILITIES

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.

Please email completed form to [council@coorong.sa.gov.au](mailto:council@coorong.sa.gov.au)

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

NAME IN FULL (1): ..... ADDRESS: ..... SIGNATURE: ..... Date of Birth: ...../...../..... Phone number .....	NAME IN FULL (2): ..... ADDRESS: ..... SIGNATURE: ..... Date of Birth: ...../...../..... Phone number .....
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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.

### CEMETERY (*please select*)

Coonalpyn	Meningie	Peake	Sherlock
Tailem Bend	Tintinara	Wellington East	

<b>INTERMENT RIGHT FOR</b> <input type="checkbox"/> Burial Plot ( <i>99 years plus renewal rights</i> ) <input type="checkbox"/> Columbarium ( <i>50 years plus second period on application</i> )	
<b>A</b> <input type="checkbox"/>	<b>Council to allocate new location</b> COLUMBARIUM NO. .... PLOT NO. ....
<b>B</b> <input type="checkbox"/>	<b>Family to select new location</b> Family to contact Council to arrange a meeting to view maps, if required. COLUMBARIUM NO. .... 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 and certificate will be issued to the Interment Right Holder(s) by the Council after payment of the relevant fees.
- 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 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014.

I have read and understand the **interment right conditions on the next page**.

## INTERMENT RIGHT CONDITIONS

The following points are part of the Interment Right Conditions.

1. The holder of an interment right may surrender the interment right to the relevant authority that issued it. On the surrender of an unexercised interment right, the relevant authority must give the former holder of the interment right a refund equal to the current fee payable for an interment right of the same kind, less a reasonable fee—

(a) for administration and maintenance costs; and

(b) for costs involved in the establishment of the cemetery or natural burial ground, determined in accordance with the regulations.

As defined in *Section 34 (1)* of the Burial and Cremation Act 2013.

2. An interment right may be transferred but-

(a) the consideration payable for the transfer of the interment right must not exceed the current fee payable for the issue of an interment right of the same kind; and

(b) the interment right may contain conditions limiting the right of transfer to persons who adhere to a particular religion or belong to some other specified class. As defined in *Section 33 (1)* of the Burial and Cremation Act 2013.

1. 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:
2. (a) by the spouse or domestic partner of the deceased interment right holder; or
3. (b) 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. (i) a child; (ii)
  - b. (iii) a grandchild or great-grandchild; a brother or sister;
  - c. (iv) a parent;
  - d. (v) a grandparent;
  - e. (vi) an aunt or uncle;
  - f. (vii) a nephew or niece;
  - g. (viii) a cousin;
  - h. (ix) any other 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. 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.
6. 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.
7. 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.
8. 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.
9. This document is to be read in conjunction with Council's Cemeteries & Burial Policy.

**Please advise Council immediately if your address or contact details change.**

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**INTERNAL USE ONLY**

**Receipt Number:**

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**Invoice**  
**Applicant?**

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