



# Transfer of an Interment Right

## Purpose of this application form:

This application form should be completed by a consumer that seeks to transfer an interment right from themselves to a new holder.

A cemetery operator may transfer an interment right from one person or two or more persons as joint holders. A person to whom an interment right devolves does not become the holder of the interment right until the cemetery operator's register is amended.

This application form is not required for transferring rights between joint holders. On the death of a joint holder of an interment right, the remaining party is entitled to the interment right. The surviving joint holder/s should advise the cemetery operator of the death of one joint holder so the cemetery operator's register can be updated.

This form has been approved by Cemeteries & Crematoria NSW under subsection 49(4) of the *Cemeteries and Crematoria Act 2013*.

## For help and to return this form:

**In person:** 58 – 64 Molong Street Condobolin

**Post:** PO Box 216 Condobolin NSW 2877

**Phone:** (02) 6895 1900 during business hours

**Email:** [council@lachlan.nsw.gov.au](mailto:council@lachlan.nsw.gov.au)

## 1. Request

Albert Cemetery

Bena Cemetery

Condobolin Cemetery

Fifield Cemetery

Lake Cargelligo Cemetery

Tottenham Cemetery

Tullibigeal Cemetery

Area/Wall \_\_\_\_\_

Row \_\_\_\_\_

Plot Number \_\_\_\_\_

Other – please specify \_\_\_\_\_

## Type of transfer

Transfer by holder

Bequeath by holder

Executor decision due to intestacy

## 2. Transferrer details

The transferrer is the current Interment Right or Burial Permit holder.

### Holder 1

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

### Holder 2

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

## 3. Transferee details

The transferee is the new holder of the Interment Right.

### Holder 1

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

### Holder 2

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

## Next of Kin/Secondary Contact(s)

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

*Please attach an additional sheet for more than one interment right holder or secondary contact.*

## Who may be interred

I/We wish to specify:

The identity of the person(s) whose remains may be interred:

Or

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

The relationship of the person(s) whose remains may be interred:

\_\_\_\_\_

and the person who may nominate the person(s) whose remains may be interred:

Or

The relationship of the person who may nominate the person(s) whose remains may be interred:

\_\_\_\_\_  
*'Relationship' can mean direct family members, relatives, an executor, power of attorney or other such persons as agreed between the interment right holder and grantor.*

## 4. Terms and Conditions

The transferrer agrees to:

- a. Relinquish all rights, licences and claims to the Interment Right
- b. Indemnify Lachlan Shire Council against any actions that may be taken or incurred as a result of this application.

The transferee acknowledges that:

- c. No more than two Interment Rights in a cemetery can be reserved by any one individual.
- d. Interment rights issued to 2 holders are held jointly. On the death of a joint holder of an Interment Right, the remaining joint holder is entitled to the Interment Right.
- e. Holders must provide on request, two original identification documents, one of which must provide photo identification.
- f. A certificate will be issued to the transferee (s) as proof of ownership and must be presented when booking a funeral/interment service.
- g. The holders preferred funeral director is responsible for interment and funeral arrangements.
- h. Council do not arrange grave digging services or the supply and installation of memorials (headstones/monuments/plaques).
- i. The Interment Right holder(s) is responsible for the maintenance of individual graves.
- j. Council reserve the right to refuse permission for any proposed memorial construction or alteration at Councils' discretion. Council have the right (but not the obligation) to remove any unapproved memorial or alteration without notice.
- k. Interment Rights can be transferred, but only while the holder is alive and only to an immediate family member of the holder after consultation with Council and payment of the associate fee.
- l. Unused Interment Rights can be transferred pursuant to the will or intestacy of a deceased Interment Right holder. In this instance, the transfer of the Interment Right is only operative when a Transfer of Interment Right is submitted to Council with payment of the associated fee and processed.
- m. Council reserve the right to review and/or amend these terms and conditions, our holdings, interment plots and property within our cemeteries at any time, without providing prior notice.

## Privacy declaration

Council is collecting this information under the *Cemeteries and Crematoria Act 2013*. This information will allow Council to assess your application and maybe disclosed to any relevant government agency. The information will be used to update the burial register and annual reporting. Other people will be able to request access to the information provided under the *Government Information (Public Access) Act 2009*. The information will be stored in a secure location in accordance with the *Privacy and Personal Information Protection Act 1998*.

I acknowledge that I have read and understood all the information contained in this application. All information that has been provided is true and accurate to the best of my knowledge.

---

Signature

---

Date

---

Signature

---

Date