SOUTHERN MALLEE DISTRICT COUNCIL

Telephone: 08 8577 8002
Email: council@southernmallee.sa.gov.au
Website: southernmallee.sa.gov.au

Address: Day Street, Pinnaroo
Postal Address: PO Box 49, PINNAROO SA 5304

TRANSFER OF INTERMENT RIGHT

I do solemnly and sincerely declare that:		
SURNAME:		Mr / Mrs / Ms / Miss
GIVEN NAMES:		
ADDRESS:	SUBURB:	POSTCODE:
EMAIL:	PHONE:	

Being:
( ) the registered interment right holder; or
If the holder of the interment right has died, the personal representative of the deceased interment right holder, being a person aged 18 years or more who; (see overleaf for supporting documentation to be provided)
( ) is the executor or administrator of the estate of the deceased interment right holder; or
( ) a joint executor or administrator acting with the permission of all the others; or
If there is no personal representative by the;
( ) surviving spouse or surviving domestic partner
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 or priority;
( ) the eldest living and legally capable child;
( ) the eldest living and legally capable grandchild or great-grandchild;
( ) the eldest living and legally capable brother and sister;
( ) the eldest living and legally capable blood relative

INTERMENT RIGHT NUMBER:
Registered Interment Right Holder:

SITE DETAILS

LAMEROO
Traditional
Columbarium Internal
Columbarium External

PINNAROO
Traditional
Lawn
Memorial Wall

PARRAKIE
Traditional
Columbarium Standard
Columbarium Pioneer

Do hereby transfer to:		
SURNAME:		Mr / Mrs / Ms / Miss
GIVEN NAMES:		
ADDRESS:	SUBURB:	POSTCODE:
EMAIL:	CONTACT PHONE:	

The right, title and interest in the Interment Right. The said Interment Right is unencumbered and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1936.

Signed _____

(Interment Right holder or Authorise person to sign in front of a Justice of the Peace or Prescribed Police Officer)

Declared and subscribed at _____
This _____ Day of _____
Before me _____ (Name)

(A Justice of the Peace / Prescribed Police Officer)

ID Number: _____

I/we: _____(Transferee/s)

Hereby accept the transfer of the above Interment Right to my/our name(s).

Signature: _____ Name: _____ Date_____

Signature: _____ Name: _____ Date: _____

Order of Entitlement

(a) T*he 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.

Note: The Southern Mallee District Council Cemeteries Authority will require copies of relevant authorising documents to be provided i.e. Will & Testament extracts 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;

- the eldest living and legally capable child;
- the eldest living and legally capable grandchild or great-grandchild;
- the eldest living and legally capable brother or sister;
- the eldest living and legally capable blood relative

Instructions for Completion of the Transfer of Interment Right

The section of the form commencing '**I do solemnly and sincerely declare that**:' is to be completed by the registered interment right holder or the highest ranking person in the devolvement table (*see above*).

The section of the form commencing '**do hereby transfer to** is to show the full name and mailing address of the person accepting the transfer. The registered interment right holder or highest ranking person in the order of entitlement may transfer the interment right to any other person, eg, family member, trustee, friend, who has an interest in and is willing to accept all rights and responsibilities for the burial/memorial position noted on the reverse of this document.

As this is a legal document, the signature of the currently registered interment right holder or the highest ranking person in the order of entitlement is to be witnessed by a Justice of the Peace or Prescribed Police Officer.

The top of page 2 is to contain the full name and signature of the person accepting the responsibilities associated with being the new registered interment right holder of the burial/memorial position.