



City of Port Lincoln

Template No 16-16-T2

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Interment Application – Burial Authority

NS 16.16.3.3
HV 16.16.3.1

This form must be completed by the interment right holder *or* a person authorised to exercise the interment right in accordance with Section 35 of the *Burial and Cremation Act 2013* (see overleaf).

CEMETERY:

Happy Valley Cemetery - Pioneer ; HV 1 ; HV 2 ; RSL
North Shields Cemetery - Headstone Section ; Cremation Section

DECEASED DETAILS:

Title: Dr Mr Ms Mrs Miss Gender: M F

First Name/s: _____ Last Name: _____

Date of Birth: _____ Date of Death: _____ Age: _____ Birthplace: _____

Last Known Address: _____

Suburb: _____ State: _____ Postcode: _____

Place of Death: _____

INTERMENT LOCATION – please select **A** or **B** only

- A. Council to allocate new interment right
B. Existing Location (please complete below):

Name of interment right holders/s _____ Interment Right Number: _____

Location: Section: _____ Row: _____ Lot: _____ Expiry Date: _____

Current Address: _____

Suburb: _____ State: _____ Postcode: _____

Existing interments at Site: Yes No

Extension of right required: Yes No Number of years to be extended _____

Adjacent site required for family purposes: Yes No – 16-16-T3 (prepaid interment right form to be completed)

FUNERAL DIRECTOR DETAILS:

Name of Funeral Company: _____

Arranger Name (please print) _____ Arranger Signature: _____

FUNERAL DIRECTOR TO COMPLETE A OR B -

A) INSTRUCTION FOR INTERMENT OF BODILY REMAINS:

Date of Burial: _____ Time of Burial: _____

Depth: Single Depth to 1.68m ; Double Depth to 2.29m ; Triple Depth to 2.90m ; Vault

Interred in: Coffin ; Other receptacle ; Shroud

Coffin Size: Standard Yes No. Oversize (in millimetres) _____ (Length x Width)

Casket Oversize (in millimetres) _____ (Length x Width)

B) INSTRUCTIONS FOR INTERMENT OF CREMATED REMAINS:

Date of Interment: _____ Time of Interment: _____

Cinerary Urn ; Other Container ; Directly into earth

INTERMENT RIGHT HOLDER OR AUTHORISED PERSON DETAILS:

Title: Dr Mr Ms Mrs Miss Gender: M F Date of Birth: _____

First Name/s: _____ Last Name: _____

Postal Address: _____

Suburb: _____ State: _____ Postcode: _____

Mobile _____ Tel (W) _____ Tel (H) _____

Relationship to Deceased: _____ Email: _____

Period of which interment right is granted: _____ years, expiring on _____

I _____ (full name)

Warrant that I – please select one of the following

- Am the person on whose name the interment right is issued
- Have written authority of the person in whose name the interment right was issued
- Am the personal representative of the interment right holder
- Am applying for a new interment right

And I agree that I have read and understood the Conditions of the Interment Right below and I have received a copy of the Interment Right Plain English Statement:

Signature: _____ Date _____

CONDITIONS OF INTERMENT RIGHT

1. The Right is issued pursuant to the *Burial and Cremation Act 2013* (the Act). It confers a right on the Applicant to inter the remains of the Deceased at the burial site described therein for the period specified. The right commences on the date specified in the Right once the Applicant has paid the fee to the Council or as may otherwise be determined by the Council.
2. The Applicant is responsible for all costs associated with arranging an interment including the costs associated with erecting any memorials on the burial site. The interment right commences from the date that the fee is paid. A request may be made to the Council to pay the fee in instalments, in which case, the Council may, in its absolute discretion, agree to enter into a payment plan with the person making application for the interment right
3. The Right may only be exercised by the Applicant. In the case of incapacitation or death of the Applicant, the Applicant's **personal representative** as defined under the Act (being the Executor or Administrator of the Deceased Applicant's Estate) may exercise the Right. If there is no personal representative, the Right may be exercised in accordance with regulation 32 of the *Burial and Cremation Regulations 2014* (the Regulations) by:
 - 3.1. the spouse or domestic partner of the Applicant; or
 - 3.2. if there is no surviving spouse or domestic partner, by the eldest living relative of the Applicant as per the following descending order of priority: child, grandchild or great-grandchild, brother or sister, parent, grandparent, aunt or uncle, nephew or niece, cousin and finally, any other blood relative.
4. The Applicant may renew the Right for a further term of not less than 5 years as may be agreed with the Council prior to its expiry. An application for renewal of the Right must be made in writing to the Council and be accompanied by the relevant fee as determined by the Council and set out in its Schedule of Fees and Charges.
5. The Applicant may, with the Council's consent, transfer the Right to another person. An application to transfer a Right must be in writing in the form specified by the Council. In the event of the death of the Applicant the Right forms part of the Deceased's estate and is to be dealt with in accordance with any valid will or any applicable Court Order.

6. The Applicant will not erect any memorial on the burial site subject of the Right without having first obtained permission from the Council. Any structure or object erected thereon must comply with any applicable Council Guidelines or Policy. The Applicant is responsible for the maintenance of any memorial erected on the burial site.
7. The Applicant acknowledged and agrees that the Council will have no responsibility or liability for any loss or damage to any memorial erected on the burial site subject of the Right.
8. The Applicant must comply with the provisions of all Acts, regulations, by-laws and all directions and orders of the Council in relation to the Applicant's use of the burial site.
9. The Applicant may apply to the Council to inter additional remains in the plot. The Council may grant multiple interment rights with respect to a single burial site at its absolute discretion and subject to any conditions it considers appropriate.
10. The Applicant may surrender the Right by notice in writing to the Council. If the right has been exercised (i.e. the Deceased's remains have been interred at the burial site) then the Applicant is not entitled to a refund of any fees paid. If the Right is unexercised the Council will refund the Applicant an amount calculated in accordance with section 34(2) of the Act and regulation 31 of the Regulations.
11. In the event the Right expires and is not renewed, the Council is entitled to:
 - 11.1. re-use the burial site under section 38 of the Act and will manage the burial site as it sees fit and in accordance with its legal obligations;
 - 11.2. dispose of any unclaimed memorials on the burial site in accordance with section 42 of the Act.

YOUR RIGHTS AND RESPONSIBILITIES

Liability for Fees and Payment Arrangements

Burial has been pre-paid Yes No – Fee \$ _____

Interment Right only has been pre-paid Yes No – Fee \$ _____

If the burial has not been pre-paid, the Interment Right Holder or Authorised Person named herein is liable and agrees to pay to the Council the burial fee and, where a new interment right is being granted, the applicable fee for that right. The interment right commences from the date that the fee is paid. A request may be made to the Council to pay the fee in instalments, in which case, the Council may, in its absolute discretion, agree to enter into a payment plan with the person making application for the interment right. The fees payable are set out in the Council's Schedule of Fees and Charges available at: www.portlincoln.sa.gov.au.

Payment of fees are due within 30 days from the date of Council invoice.

Alternatively, if the Interment Right Holder or Authorised Person has made payment arrangements directly with the Funeral Director, the Funeral Director hereby acknowledges liability for Council related fees:

Name of Funeral Company: _____

Funeral Director's Signature: _____ **Date:** _____

I acknowledge that I have read and understood my rights and responsibilities and declare that I am the interment right holder or a person authorised to exercise the interment right

Authorised Person's Signature: _____ **Date:** _____

OFFICE USE ONLY:

| | | | | |
|--|------------|----------|------|------------|
| | Burial No: | Section: | Row: | Allotment: |
|--|------------|----------|------|------------|

In terms of the requirements of section 12(2) of the Burial and Cremation Act 2013 and Regulation 9: Partial Certificate of Death/ ADHR Authority attached, Name plate affixed to coffin, Identity and details confirmed:

Yes No (Provide details) Name: _____ Signed: _____