



# Application to Transfer or Claim Burial Rights

**PURPOSE OF FORM:** The information in this form will be used to process your application to transfer or claim Burial Rights at Whitsunday Regional Council cemeteries.

**PRIVACY NOTICE:** Whitsunday Regional Council is collecting the applicant's and relevant deceased person's details for identity verification and to assess and process this application. This information will only be accessed by authorised Council employees and handled in accordance with the *Information Privacy Act 2009*.

## APPLICATION PROCESS:

- Completed applications must be lodged with Council on the approved form.
- Transfer or claim of Burial Rights will not be processed unless all relevant sections are completed. Incomplete forms may be returned.
- Where applicable, supporting documentation (e.g. certified death certificate, statutory declaration, original Burial Rights Certificate) must be provided.
- Council may request additional documentation where ownership or entitlement is unclear.

## Instructions:

- If the Burial Rights Holder are alive – complete Sections 1, 2, 5, 6, 7 and 8.
- If the Burial Rights Holder are deceased – complete Sections 1, 2, 3, 4, 5, 6, 7 and 8.

Please complete this application in **BLOCK LETTERS** and tick or fill in boxes where applicable. If a question does not apply, write “**N/A**”.

## Section 1 – Details of Burial Rights to be Transferred or Claimed

Cemetery Name	<input type="checkbox"/> Bowen	<input type="checkbox"/> Collinsville	<input type="checkbox"/> Proserpine	<input type="checkbox"/> Other
Plot/ Niche Number		Section/ Row		
Burial Rights Certificate Number (if known)				

## Section 2 – Applicant Details

Full Legal Name	
Date of Birth (DD/MM/YYYY)	
Postal Address	

**Correspondence:** Chief Executive Officer, Whitsunday Regional Council, PO Box 104, Proserpine, QLD 4800  
 P: 1300 WRC QLD (1300 972 753) F: (07) 4945 0222 E: info@whitsundayrc.qld.gov.au www.whitsundayrc.qld.gov.au

**Bowen**  
 Cnr Herbert & Powell Streets  
 Bowen QLD 4805

**Proserpine**  
 83-85 Main Street  
 Proserpine QLD 4800

**Collinsville**  
 Cnr Stanley & Conway Streets  
 Collinsville QLD 4804

**Cannonvale**  
 Shop 23, Whitsunday Plaza  
 Shute Harbour Road, Cannonvale QLD 4802



# Application to Transfer or Claim Burial Rights

Contact Phone	B	H	M
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Email Address	
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I have read and understood the Council Cemeteries Policy and am aware of my rights and responsibilities.

I declare that the information provided is true and correct. I understand that giving false or misleading information is a serious offence under section 234 of the Local Government Act 2009.

Signed		Date	
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2a. Are you the current Burial Right Holder?	<input type="checkbox"/> Yes – Go to Section 5 <input type="checkbox"/> No – Go to 2b
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2b. Is the Burial Right Holder deceased?	<input type="checkbox"/> Yes – Go to Section 3
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## Section 3 – Details of Deceased Burial Rights Holder

Full Legal Name			
Date of Birth (DD/MM/YYYY)		Date of Death (DD/MM/YYYY)	

## Section 4 – Relationship to Deceased Burial Rights Holder

What is your relationship to the deceased?	<input type="checkbox"/> Spouse <input type="checkbox"/> Parent <input type="checkbox"/> Child <input type="checkbox"/> Sibling <input type="checkbox"/> Grandchild <input type="checkbox"/> Niece/Nephew <input type="checkbox"/> Aunt/Uncle <input type="checkbox"/> First Cousin <input type="checkbox"/> Great-grandchild <input type="checkbox"/> Other: _____
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# Application to Transfer or Claim Burial Rights

## Section 5 – New Burial Rights Holder Details

Full Legal Name			
Date of Birth (DD/MM/YYYY)			
Postal Address			
Contact Phone	B	H	M
Email Address			

## Section 6 – Restrictions on Future Use of Burial Place

Do the new Burial Rights Holder wish to restrict future use of the burial place?	<input type="checkbox"/> No – Go to Section 7 <input type="checkbox"/> Yes – Complete below
Restrictions (tick all that apply):	<input type="checkbox"/> Only Burial Rights Holder(s) may be interred <input type="checkbox"/> Burial Rights Holder(s) and spouse only <input type="checkbox"/> Burial Rights Holder(s) and children <input type="checkbox"/> Burial Rights Holder(s) and descendants <input type="checkbox"/> Other (specify): _____

## Section 7 – Claim of Burial Rights After Death of New Holder

Do the new Burial Rights Holder(s) wish to allow others to claim the burial rights after their death?	<input type="checkbox"/> No – Burial Place to be closed <input type="checkbox"/> Yes – only those listed in Section 6 <input type="checkbox"/> Yes – Council may allow any person to claim, in line with Council policy <input type="checkbox"/> Yes – the following people may claim (add additional sheet if required)									
Details of Burial Rights claimers	<table border="1"> <thead> <tr> <th>Person</th> <th>Date of Birth</th> <th>Relationship</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Person	Date of Birth	Relationship						
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# Application to Transfer or Claim Burial Rights

## Section 8 – Declaration by New Burial Rights Holder

- I have read and understood the Council Cemeteries Policy and am aware of my rights and responsibilities. I declare the information provided is true and correct. I understand giving false or misleading information is a serious offence under section 234 of the Local Government Act 2009.

### Supporting Documentation (tick any that apply):

- Certified Statutory Declaration from applicant  
 Certified Statutory Declaration from other parties with claim  
 Certified copy of Last Will and Testament  
 Certified Statutory Declaration from Legal Representative of Burial Rights Holder  
 Original Certificate of Burial Rights  
 Other: \_\_\_\_\_

Signed

Date

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# Application to Transfer or Claim Burial Rights

## TERMS AND CONDITIONS

### Nature of Burial Rights

Burial Rights do not confer ownership of land. Burial Rights grant the right of interment in accordance with Council's Cemeteries Policy and applicable legislation.

### Council Approval Required

Transfer or claim of Burial Rights is not effective until approved in writing by Whitsunday Regional Council.

### Evidence of Entitlement

Council may require statutory declarations, death certificates, wills or other documentation to establish entitlement. Council may refuse an application where entitlement is unclear or disputed.

### Family Disputes

Council relies on information provided in good faith and accepts no responsibility for disputes between family members, executors or other parties. Council may decline to determine competing claims and may require the matter to be resolved privately or by court order.

### Restrictions on Use

Any restrictions nominated in this application will be recorded against the Burial Rights and administered in accordance with Council policy.

### Closure of Burial Place

Where requested, or where capacity is exhausted, Council may record the burial place as closed to further interments.

### Fees and Charges

Applicable fees are payable in accordance with Council's adopted Fees and Charges Schedule.

### Compliance with Policy and Law

All Burial Rights are subject to:

- Council's Cemeteries Policy
- Local Government Act 2009
- Any other relevant legislation or regulation

### False or Misleading Information

Providing false or misleading information is an offence under section 234 of the *Local Government Act 2009*.

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